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A LETTER

ON

THE NATURE AND EFFECTS

OF

THE TREAD-WHEEL,

AS AN INSTRUMENT OF

PRISON LABOUR AND PUNISHMENT,

ADDRESSED TO

THE RIGHT HON. ROBERT PEEL, M.P.

HIS MAJESTY'S PRINCIPAL SECRETARY OF STATE FOR

THE HOME DEPARTMENT, &c. &c.

WITH

AN APPENDIX OF NOTES AND CASES.

BY

ONE OF HIS CONSTITUENTS, AND A MAGISTRATE

OF THE COUNTY OF SURREY.

[i.e., John Scott Bowerbank]

LONDON:

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It is perfectly true, that the labour of the Tread-wheel, unless it be regulated with great care, may, to use the language of an able and experienced Governor of a Prison (in a recent communication with the Committee) become, in the hands of some, AN ENGINE OF TERRIBLE OPPRESSION.

Fifth Report of the Committee of the Society for the Improvement of Prison Discipline, p. 36.

DUGDALE COLLECTION.

Printed by J. Brettell,
Rupert Street, Haymarket, London.

ADVERTISEMENT.

The Writer of the following pages disclaims all literary pretensions; and is sensible how inadequately his humble talents have enabled him to point out the various and complicated evils of this new and formidable engine of terror, the Tread-wheel. He is aware that by omitting some remarks, and modifying others, he might have less exposed himself to censure and opposition: but he took up his pen to record the honest sentiments of his heart, and the deliberate conviction of his mind. He loves his country, and the judicature of his country—that justice and impartiality with which its laws have been administered to every class of society; to the poor and friendless, equally with the rich and powerful: and he now

comes forward to appeal against a departure from wholesome and established usages; and to deprecate a system which has an essential tendency to harden the heart, and to oppose many of the soundest principles of the morality as well as the policy of our forefathers.

——————— Quæ tanta insania, cives!
Aut hæc in nostros fabricata est MACHINA muros,
Inspectura domos, venturaquè desuper urbi,
Aut aliquis latet error. ———

A LETTER,

&c.

SIR,

THE cases annexed to this Letter, induce me thus publicly to address you on the nature and effects of the Tread-wheel. In taking this measure I am actuated solely by a sense of duty, and a desire to fulfil those obligations towards my Sovereign and my Country which I contracted on accepting my commission as a Magistrate.

I candidly acknowledge that I was at first disposed to think favourably of this new mode of punishment, which is now in so many instances introduced into our Gaols and Houses of Correction, and has even made an entrance into the Workhouses of our Poor *. It was represented to me as a species of hard, yet salutary labour, from which the idle and the vicious were naturally averse, but precluding the possibility of evasion; whilst all were able to perform the task, without reference to age, or sex, or the necessity of previous instruction. Under these impressions, I was willing to hail the discovery as an important event in the history of our Prison Discipline, and to antici-

* Appendix, A.

pate the best possible effects from the general use of this invention; convinced that no human means can be successfully employed towards the prevention of crime, and the reformation of offenders, without the co-operation of hard and constant labour.

But with this conviction, I feel persuaded that I express the sense of the Government, the Magistracy, and the People of this kingdom, in asserting, that no labour should be adopted within a prison, (either for the purpose of employment or of punishment), which injures the health, and impairs the strength of the prisoner. It ought never to be forgotten that the inmates of a gaol are not always to continue within its walls—they are again to be restored to society; and their labour is the only fund whence they are to draw the means of future subsistence. If, therefore, by injudicious severity, by an insufficient supply of food *, or by painful and exhausting toil, the constitution is so enfeebled, as to incapacitate them from hard work on their release from confinement; they become doubly exposed to the temptation of procuring a dishonest livelihood; or, (in the existing state of the Poor Laws) they degenerate into an useless burthen to be supported at the expense of the community. In either of these cases the object is defeated, for which the sentence of the law required the offender to be visited with "Hard Labour."

* Appendix, B.

It is not, however, my intention to insist that these consequences, in their full extent, invariably and immediately follow from the punishment of the Tread-wheel; but I desire to state my firm and deliberate opinion that THE LABOUR IS OF A NATURE TENDING IN ALL CASES TO INJURE THE PRISONER IN A GREATER OR LESS DEGREE; ACCORDING TO THE DURATION OF HIS SENTENCE, AND THE CONSTITUTIONAL STRENGTH HE MAY POSSESS TO ENABLE HIM TO RESIST THE EFFECTS OF THE WHEEL. If in some instances this may not be so outwardly apparent, I doubt whether it will be hereafter less sensibly experienced.

The subject, Sir, has received my most careful consideration. I have made much and patient inquiry of the governors and superintendants of Bridewells, as well as of those committed to their custody. I have examined the actual state and condition of prisoners when at work, and when, from inability to work longer, they have been removed into the Infirmaries, and convalescent wards of their prisons. I have visited them at the commencement and at the close of their daily toil; and I have frequently tried its nature and its tendencies in my own person. Thus, if I have formed an erroneous judgment upon this novel method of chastisement, I have at least done my endeavour to avoid it; and, as already observed, I commenced my inquiries with a prepossession in its favour.

I proceed to explain more minutely on what grounds my present objections have been formed.

It cannot, I think, fail to strike every spectator who attentively contemplates a Tread-wheel in motion, that the prisoner upon it is placed in an unnatural *, and perilous position. The whole weight of his body rests on the fore-part of his foot—this alone coming into contact with the treadles; whilst his hands and arms, which were designed to be the active instruments of labour, hang, or press passively on a rail. The feet are thus made to usurp the customary office of the hands; and, whilst the joints and tendons of the legs are brought into a forced and tortuous action, and the muscles of the abdomen †, and the loins are unduly exerted and strained, those of the arms gradually become rigid, and lose their power. Hence ensues a liability to rupture, to complaints in the kidneys and loins, and to varicose veins in the legs; accompanied by an emaciation of flesh, loss of tone in the arms, and an increasing debility of the whole frame ‡.

The labour is not only unnatural, but unvaried; and from this cause arises an additional degree of injury. The painful effect of a long-continued

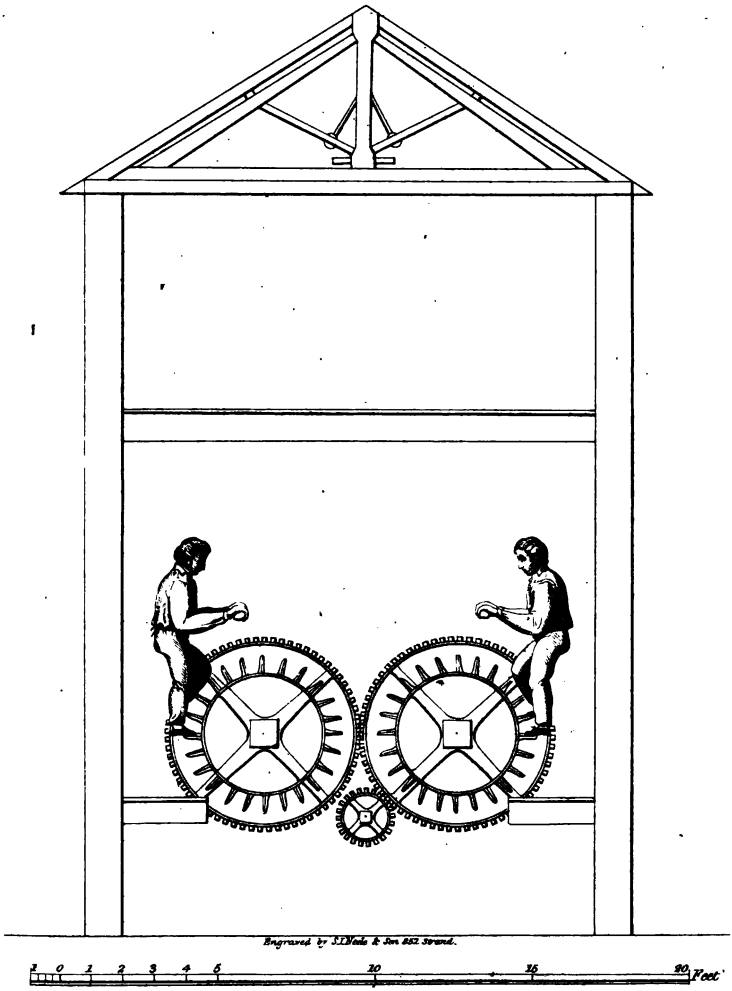
* Appendix, C.——Particular attention is requested to this note. Indeed, all the notes are important to those who are desirous of forming a careful and dispassionate opinion upon the question.

† Appendix, D. ‡ *Ibid.* E.

to face Page 10.

CROSS SECTION OF DESIGN FOR PRISON MILL,

Shewing the elevation of the Treand Wheels & method of Working as given by the Committee of the Society for the IMPROVEMENT OF PRISON DISCIPLINE.



In carrying this Design into execution the hand-rail often varies in a different degree of elevation or recession from a perpendicular line from what is here represented, and the degree of flexure of the body varies accordingly.

exertion of the same organs is well known, even when those organs are naturally exerted; but this effect is increased an hundred-fold when the action is unnatural, as well as unvaried; and, as such, continues to be hourly exercised, though with periods of intermission, for days, and weeks, and months, and years.

It appears to me to constitute no slight charge against the Tread-wheel that, by its operation, so far as relates to the position of the prisoner, the order of nature is inverted; and without any relief being afforded to the sufferer by a change of muscular action. The unerring guide of experience has ever taught that nature never permits her rules to be long transgressed with impunity.

The inequality of the punishment is also remarkable when applied to offenders of different ages and constitutions; who vary in their degrees of health and strength, and whose previous habits of life have been of an opposite kind. All are obliged to work alike; all are compelled to put forth their whole powers: but to the sexagenarian, and the youth, to the sound and robust constitution, and to a weak and sickly frame, to a man of an active calling, and to him who has followed a sedentary occupation, the difference is very great. I need scarcely advert to the still greater inequality of the punishment when enforced on females, from their peculiar liability to derangement of system; by which the remainder of their days is frequently

embittered. I trust that no man can witness, unmoved, the sufferings of those whose weakness has always been considered their defence. I know that I am not the only one who has felt both surprise and sorrow that in Cold Bath Fields it should have been thought adviseable for women to return to their labour at the mill, which had been intermitted for a short period; although from the indecent consequences which had flowed from the unnatural and exhausting effort, it has been deemed necessary to appoint *female* turnkeys, and to suspend a canvass behind the women when at work * ! Nor can I refrain from expressing my strong and deep compassion for those unhappy mothers who, during their short respite from the Wheel, descend to give nourishment to their poor infants—such as a prison diet and their wasted strength can supply! The infant is, humanly speaking, innocent: Why should it be thus needlessly involved in the guilt and punishment of the parent † ?

It is also evident, that no inconsiderable degree of peril to the health is incurred by the prisoner from an exposure to frequent alternation of heat and cold. This evil has been so sensibly felt in the House of Correction at Brixton that it was in contemplation to provide each of the prisoners with a great coat to wear during his interval of

* Appendix, F. † *Ibid.* G.

rest. For the toil is not usually permitted without intermission beyond a quarter of an hour; and, at Edinburgh, it has not been prolonged beyond half a quarter of an hour; with the additional allowance of extra food, and three pints of beer *per diem* to each worker. I believe there is not any ordinary kind of hard labour which cannot be undergone without injury beyond this short period of time; and the fact ought surely to undeceive those who doubt the extraordinary hardships of the Tread-wheel. According to the best opinion I am able to form respecting the due selection of prison labour, that ought to be chosen which is rendered hard and irksome by its CONTINUANCE rather than its SEVERITY—by its QUANTITY rather than its QUALITY. The strength of the individual ought not to be so much exhausted in the first quarter of an hour as to require its cessation; but he should be wearied at the close of the day by the continuance of his task; and even then he ought not to be disabled from obtaining the refreshment of sleep during those hours which Providence has allotted to repose; a great part of which are now spent in restlessness and pain.

Among the many evils attending this punishment there is a liability to accident arising from the complicated nature of the machinery; as well as from the frequent impediments or jerks experienced in its revolutions; together with their

of very limited duration. The results of a system recently pursued at the Penitentiary at Milbank may serve to teach caution in this particular *.

It has been justly deemed a sound maxim in framing a plan of prison discipline to hold that punishment in small estimation which does not tend to inspire the sufferer with the necessity of future self-restraint; and unless I have misconceived the character of a House of Correction, its principal object is—THE REFORMATION OF ITS INMATES. It is, therefore, of the first importance to adopt those instruments and modes of labour in these places which are likely to promote habits of useful industry to be practised by the prisoners when released from confinement. A love of idleness, and an aversion from labour, are among the principal causes of the commission of crime in the present state of our national morals; and especially amongst female offenders, whose recommittals are the most frequent. Now, it would seem wise and benevolent to employ some method to overcome this aversion, instead of aggravating it; as must be the consequence of perverting judicial labour, by unnaturally and painfully straining the human frame. An idle, and monotonous motion of the feet has no tendency whatever to establish any useful habit.

Another and most obvious objection to the

* Appendix, K.

Machine in question, as an universal mode of prison employment, is, that it admits but of one kind and degree of discipline; whereas persons convicted of misdemeanours, and those who have been guilty of felony, require a widely different treatment. If its severe character be considered as justly applicable to the punishment of a felon, it becomes an unfit penalty for the less offence, for justice and wisdom equally condemn the practice of indiscriminately mingling and confounding all kinds and degrees of guilt, by annexing the same consequences to each. Its application in several instances to untried prisoners (whom the law regards as innocent, and whom it requires only to be detained in safe custody) affords additional matter for grave and momentous discussion, to an extent little suited to the subject now under examination. The early stage of youth appears peculiarly unfitted to this sort of discipline.

I unwillingly name another serious mischief likely to arise from this new mode of punishment. It is calculated to excite a bitterness of feeling, and a spirit of discontent against those ranks in the scale of society whom the Poor should have reason to respect as their best friends, and their natural and legal protectors. I have heard with concern, the exulting tone expressed by some who apply for a sentence to the Tread-wheel, (under the

denomination of hard labour,) towards those who have committed some petty offence against them.

In addition to vindictive feelings others of deceit and falsehood are notoriously encouraged *. In order to escape the Wheel the male prisoner will undergo the difficulty and the pain, (for to such it must amount) of imposing on the surgeon an appearance of malady under which he does not labour; and, among women, its evasion is attempted by a false declaration of pregnancy, or of various other female affections. Hence the most abandoned of both sexes, and the greatest adepts in dissimulation, who will brave all hazards, and sacrifice all conscience, are likely to escape the punishment; while the uncomplaining sufferer frequently works the allotted hours in misery †. Hence, too, a state of feeling is promoted between the prisoners and their superintendants of a very undesirable nature; the former endeavouring to impose upon the latter, who, in turn, have a duty to perform to prevent the imposition, and execute a sentence as yet unsanctioned by the Legislature. The natural presumption against the word of a prisoner, invalidates the truth of his complaint; and it demands no common degree of sagacity and firmness, accompanied by temper, discretion, and humanity, to hold the scales of justice in an even

* Appendix, L. † Appendix, M.

poize with respect to a species of discipline, where injury and accident may occur at any and every moment.

Much doubt may likewise be entertained whether the law of England designs by a sentence to HARD LABOUR, that the prisoner should be stationed on a circular body revolving upon an axis, and propelled by a part only of the feet; while the weight of the whole person, thus unnaturally applied, acts (as it has been accurately described) "precisely as a stream upon the floating boards "of a water-wheel," and the use of the hands is totally superseded. Delinquents must and should be punished; but only in a manner which their best interests and those of society require. I have consulted the volumes of English Jurisprudence and the pages bequeathed as a rich legacy to his country by the immortal Howard: but I perceive no allusion in either to any similar description of mechanical punishment; though I find in both that a provision is made, and recommended for purchasing materials and implements in order to "the setting men to work;" evidently supposing the employment to be carried on in the ordinary method, and that habits of useful industry were designed to be inculcated *. Indeed, it is difficult for me to divest myself of an impression—that the Tread-wheel is, in reality,

* Appendix, N.

a species of torture, intruding itself under the semblance of labour; if by torture (according to the common acceptation of the word) is meant "a morbid and unnatural strain of the muscles "and sinews which cannot be long continued "without great bodily pain and injury." To the eye of a casual and superficial observer this may not be apparent. The task of the workers may seem but a series of slow, and regular, and successive steps, by which they climb, as it were, an endless flight of stairs; and it may at first convey to the mind but little idea of consequent pain and exhaustion. Thus numbers leave the prison, having witnessed this novel Machine—realizing the fabulous punishment of Ixion—and as novel a spectacle of Englishmen subjected to torture, (if I may be allowed the term,) in the garb of labour; recording their surprise that any should believe it to be either injurious or objectionable. On this, as on most subjects,

"A little *knowledge* is a dangerous thing!"

and it is recommended to such visitors to make a personal trial of the Tread-wheel, not for one or two minutes, but for a single hour by which they will be enabled to form a more correct judgment *. Let them recal to their memory the well-established fact that a drop of water, though

* Appendix, O.

it may be made to fall harmlessly on the head for a short time, will, by a long continuance, produce excruciating agony.

I wish, Sir, particularly to request your attention to the following statement, which forcibly arrested mine, from the first moment I devoted it in earnest to this investigation. It refers to the very limited period of work assigned to the prisoners without intermission, and the fatigue and perspiration attendant even on this short space of time. Fifteen minutes of work is the portion usually required from each, succeeded by an interval of five minutes of rest. Thus every hour of labour is divided into three distinct tasks, and fifteen minutes out of the sixty are allotted for the purpose of repose. In the Bridewell at Edinburgh the space of a single hour comprises six separate portions of punishment, with relative proportions of rest. Now, these divisions of the time would be unnecessary if the exertion were not of a most distressing nature.

During ten hours of employment on the Wheel the workers proceed only a distance of about *two miles and a quarter*, according to the best calculation I am able to make. Hence, it is clear that the attendant suffering and exhaustion do not arise from the QUANTITY, but the QUALITY of the work *. It is not the excessive measure, but the

* Appendix, P.

unnatural and morbid kind, that occasions the distress experienced. It has consequently been found necessary to increase the prison diet, from the loss of flesh sustained; a fact which I have verified amongst most of the prisoners whom I have visited. This effect appears to be naturally explained by the state of feverish excitement produced in the bodily frame of the workers at the Tread-wheel.

Dr. Good * (whose valuable authority I shall again have occasion to cite) and who, for the first time, accompanied me to the House of Correction at Brixton, on the 10th of January, 1824, examined, at my request, in the presence of the Governor, the pulses of fifteen persons, (nine of whom were male, and six were female) as they descended in rotation from the Wheel. He found the average range of the pulse in the women to be 144°, and in the men 123°; thus exceeding its ordinary and healthy state in the former by 70, and in the latter by 60 beats. I consider this fact to be such an important confirmation of the physical effect alleged to be produced that I again repeat the observation, that the cause of this high state of excitement must be sought in a morbid and unnatural strain of some part of the system from the extraordinary degree of pressure which it has to sustain. While the

* Appendix, Q.

action is slow and regular, and the time and distance are both extremely short, such consequences would not ensue from working on the Tread-wheel, if the labour were natural and the subject healthy.

Ought, then, such a kind of discipline to be selected in preference to all others, where it is prolonged, not merely for an hour or a day, but exercised for days, and weeks, and, in too many cases, for months and years? In my humble judgment, the preservation of the health and strength of the prisoners is an object of primary consideration. Their labour is commonly the sole property they possess; it is the poor man's only capital; it is the allotment made to him by Providence; and the best means of subsistence both for himself and his family on his restoration to society—for the law contemplates that restoration. Wisdom, justice, humanity, and the spirit of a free country and an enlightened jurisprudence, equally demand that these erring members should be restored to the community, in a state and condition to resume or to commence habits of active labour: and not that, from impaired and wasted powers, they should be hurried by the temptations of necessity to a fresh commission of crime; or be compelled to solicit parochial or charitable aid to support the exigencies of nature.

It may be alleged in opposition, that some are discharged from the prison and the Tread-wheel,

without any apparent sacrifice of health and constitution; and if it were not so, this formidable Engine could not have been tolerated even for a time. These are persons of a robust habit of body, with little sensibility of mind; and such exceptions tend to establish every general rule. Others alas! I have seen in a far different state and condition when removed from the Wheel to the Infirmary; and, when finally discharged, they have been endeavouring to earn an honest livelihood. I believe it to be a received opinion that the generality of mankind have the latent seeds of some disease, requiring only the agency of a powerfully exciting cause for their development; and that most, beyond an early period of life, are subject to some internal complaint, afflicted with some chronic affection, or have received some external maim or accidental injury. To all these, under any circumstances, this punishment ought not in mercy to be applied.

The last, but not the least important ground of objection which now presents itself, arises from the nature of this Engine being not only unwarranted by the spirit of true policy, humanity, and British legislation, but militating most strongly against the life and essence of Christianity, which has been deemed, and wisely deemed, "part and parcel" of the law of this land*.

* Appendix, R.

My sentiments will be better clothed in the language of a celebrated writer, whose knowledge of human nature cannot be easily doubted or disproved: "Religion," says Mr. Henry Fielding, "will, I am "satisfied, have a strong influence in correcting "the morals of men, and I am no less persuaded "that it is religion alone which can effectually "accomplish so great and desirable a work*." I am aware that many who might coincide in my preceding views of Prison Discipline may be disposed to differ from me here. It will be asked what respect for any principle exists in the general class of the inmates of a gaol? Has it influenced their previous conduct? And can it be hoped to reform them by a remedy of whose value they are ignorant?—Not indeed, by such a remedy *alone* however powerful; but in conjunction with the best devised of human means, hard labour and solitary confinement; in which, by the present regulations, twelve hours out of the twenty-four are passed by every prisoner†. The whole character of a House of Correction, its silence and seclusion from the world; the observance of strict rules; the order and propriety of conduct which are directed to prevail—all are suited to awaken and revive the influence of religion, if judiciously and benevolently presented to the mind. It will rarely fail of an extensive success, except from some defect of system, or incapacity on the part of the instructor. The experiment

* Appendix, S. † Appendix, T.

has never yet been fairly made. Not even a form of prayer, not even the outward act of devotion has appeared in our Gaols and Houses of Correction, except on a few stated days, and in some indeed not at all*. It might have been supposed that, with the return of night and morning, the prisoner would have been reminded of the existence and omniscience of the Deity; of a sense of his continual providence and free offer of salvation to the penitent. It might have been supposed, that while the prisoner was undergoing the penalty of his offence against society he would have been furnished with opportunities of daily joining in supplication for the pardon of his transgressions against the Divine Law, and of imploring aid from Heaven to turn "away from the wickedness he has committed, "and do that which is lawful and right." Not only should the opportunity be afforded him of listening to an outward form of prayer, and to the excellent services of our Church; but if he has hitherto been a stranger to the power and knowledge of his Creator, and Redeemer, (as too frequently happens both in persons of earlier and riper years,) it is necessary that the Minister of religion should have the means of frequent intercourse in order to gain an acquaintance with his heart and life, to win his confidence by kindness, and to adapt a proper mode of instruction to the capacities and cir-

* Appendix, U.

cumstances of the hearers*. Prisoners, like other men, are sensible of an interest manifested in their behalf, and particularly less hardened offenders†. Hitherto this interest has been seemingly withheld; or reserved as a preparation for the last extremity of Justice, when the effects of it cannot be known or felt, except in that invisible world on whose threshold the criminal is standing. Yet it is both a solemn duty and a wise policy in the guardians of a state to provide in an efficient manner for the due administration of religious instruction and consolation to "Prisoners and Captives," for whom intercession is publicly offered up with the recurrence of every Sabbath; and, without frequent and personal intercourse between them and the chaplain, little good can be effected. But in the situation and feelings of a person labouring for ten hours of every day upon the Tread-wheel; (professedly acknowledged and designed to operate by TERROR,) what avail the visits of the chaplain, or the prayers which, by the last Gaol Bill, are appointed to be read‡? These prayers may be repeated, and the Minister of religion may exhort to repentance; but if the body be worn down by suffering and exhaustion, while the mind partakes of its irritated and depressed condition, I fear there is small prospect of exciting kindlier feelings or establishing the impression of religious truth,—of that divine

* Appendix, X. † Appendix, Y. ‡ Appendix, Z.

truth, in which justice, judgment, and mercy are inseparably united *.

These, Sir, are the chief grounds of my hostility to the Tread-wheel as an instrument of prison labour and punishment; and I submit them to you with an anxious wish that they should be scrupulously and dispassionately investigated. In offering them to your consideration I am actuated by no party or political views; and I desire only to promote what I conceive to be the true interest of that community, of which I am a member.

If the preceding be a correct statement of facts, it may be inquired, whether it be supported by Medical testimony? and whether there be any among the Magistracy of the country who have regarded this new Engine of Prison Discipline in the same light? for evils of so serious and complicated a character, if they really exist, must have induced others to point them out to the attention of the Legislature and the Public. I state, in answer, that an eminent Physician, alike distinguished by his profound and extensive professional knowledge, and by his high and honourable private reputation—who is peculiarly conversant with subjects of this kind, from having directed much of his habits and attention to them in an early period of life—has unequivocally recorded his opinion to the same

* Appendix, A A.

effect in a letter dated 7th June 1823, addressed to Sir John Cox Hippisley, Bart. The whole question indeed is there treated in so candid and comprehensive a manner, that it may be regarded as an epitome of medical testimony; and I cannot do better for this cause of justice and humanity than recommend the Letter of Dr. Good to general perusal. There are also the well known names of Sir Gilbert Blane, Sir William Blizard, Mr. Copeland, Mr. Cole; to which may be added, that of the late lamented Dr. Baillie*, as having agreed in the same sentiments; besides many other members of the medical and surgical professions, less celebrated perhaps, but not less competent to form a correct judgment on the case. These have unanimously declared their apprehension of great danger to the health and constitution of the prisoners from this new and unnatural toil. And their opinions, moreover, may be regarded as free from any bias of interest or prejudice, none of them being in any way connected with a prison. I have never conversed with a single member of the profession, unconnected, and scarcely with any one connected, with a prison, who has not invariably expressed himself more or less unfavourable to the Tread-wheel, from medical considerations alone †. Nor should I omit the following statement given by Dr. Paris, in his interesting work on Medical

* Appendix, B B. † Appendix, C C.

Jurisprudence:—"The punishment is one of the "most unequal in its operations that can be con- "ceived, and for women in certain situations, it "is a dangerous and indecent torture, one which "should be immediately forbidden, if not by the "humanity of the Magistrates, by the wisdom of "the Legislature*." Among periodical writers of the day the respectable Editors of the London Medical and Physical Journal (who are Members of the Royal Colleges of Physicians and Surgeons) deliver their opinions, without ambiguity, in unison with those of the authorities before mentioned.

In addition to the weight of medical testimony, the Magistrate, who, by a public expression of his sentiments, has most strongly declared himself an enemy to the Tread-wheel (although an equally sincere and zealous friend to the wholesome discipline of hard labour) is Sir John Cox Hippisley, Bart. whose instructive compendium of correspondence on the subject has been before the public since the beginning of June 1823; and some part of which was communicated at a much earlier date †. I believe there are many of our number who, either wholly or in part, coincide in the same feelings, although they may not have so openly expressed them. Among others is the name of Sir John Palmer Acland, Bart. whose able and active services, as a Justice of the Peace, are deservedly

* Appendix, D D. † Appendix, E E.

appreciated in the county where he resides; and whose evidence, taken in a Select Committee of the Lords and Commons in 1819, fully establishes the good effects of manual labour, when enforced with discretion and humanity, both on the present and future deportment of the prisoner*. In a letter to Sir J. C. Hippisley on the comparative merits of the Hand-crank-mill and the Tread-wheel, Sir J. P. Acland thus expresses himself; "The "Tread-wheel is so much sanctioned by popular "opinion as a new mode of punishment that the "philanthropy of the day does not recoil at it, and "it is to be carried on throughout the prisons with-"out consideration, nay, against a prudent one; "*presently, we shall find the impropriety of it ap-"pealed against, and voted cruel and dangerous, "and the like; and it will be ordered to be laid "aside as disgusting and unsuited to the age we "live in, and to the humanity due to prisoners*†."— "The first dangerous result from the Tread-"mill will open the eyes of the blind and "unthinking."—That many "dangerous results" have occurred from the use of this discipline, in the prisons of Cold Bath Fields, Guildford, and Brixton, the cases which I have felt it my duty to present to you, will, I think, satisfactorily prove; and I think also with the Hon. Baronet, that such results will lead many minds to form

* Appendix, F F. † Appendix, G G.

a different conclusion from the ideas they may have previously entertained.

The next step, in the course of examination, is a reference to the Official Reports from those Gaols and Houses of Correction where the Tread-wheel has been erected, printed by order of the House of Commons, on the 10th of March 1823. These documents, I confess, have produced no difference of impression on my own mind, although others may have read them with opposite feelings. It is true that, with few exceptions, they endeavour to place the operation of this Machine in the most favourable light; as beneficial to the health as well as habits of the prisoners. The surgeon attached to the gaol at Exeter even declares, "I am of opinion, which has been confirmed "by inquiry, that *after a few days work* on the "Tread-mill, the muscles of the legs, thighs, and "back becoming habituated to it, *the employment* "*on the mill ceases to be a punishment:*" but this, (if it be so) appears to me a reason why it ought to be abandoned by those of its advocates who consider the TERROR excited in the sufferer, as its principal merit. I observe, in the Report of the surgeon of Reading Gaol, that, in his opinion, "no "injurious effects have been produced on the "bodies or limbs of the prisoners employed in the "Tread-mill, since the commencement of its ope-"ration" (about eleven weeks previous). But I also find, that he is subsequently directed by the

Visiting Magistrate to certify, that on the very next day after the above Report, an accident occurred to one of the prisoners; and "that William Strange "is afflicted with a rupture, *which took place* "*whilst working on the Tread-mill*, by a violent "fit of coughing, and, in all PROBABILITY, would "have happened independent of the exertion on "the mill." I know not how far this PROBABILITY existed—how far a fit of coughing is likely to produce rupture; nor do I know the previous tendency of this poor man's constitution to rupture; but I have no doubt whatever, that he was a most unfit subject for the discipline of the mill.

It is also proved by this official correspondence, that a difference exists in the intervals or space between the treadles of the Wheel; which, in some, is beyond two feet and a half*: and likewise in the rate at which the machinery is impelled. I have worked on a Wheel in the Newport Bridewell, revolving five times in a minute, where the prison allowance consisted of a pound and a half of bread alone, *per diem*, with the sum of five shillings and sixpence expended in meat on Sundays, and divided amongst the prisoners, whatever their number, or the quantity so procured, at the fluctuating price of provisions.

At Exeter, it is stated, that there had been "no complaint whatever, or objection from the

* Appendix, H. H.

" females that had been stationed on the Wheel," and "*properly attended to;*" yet, in an adjoining county, the Visiting Magistrates of Dorchester Gaol report, with regard to female prisoners, "that "they have *occasionally been subject to certain* "*complaints* which the surgeon of the gaol has "*attributed to the working at the Wheel.*" And this corresponds with the Report of the Durham Magistrates, "that we have *not thought it advise-* "*able to employ females* in working the Tread- "wheel." In the county prison of Gloucester the machinery had only been erected *three weeks;* in the Horsley House of Correction in the same county, only *twenty days;* at Wakefield in Yorkshire, it had been *but just completed;* when official answers were returned from the two former as to its operation and effects, and from the latter stating that the Visiting Magistrates were "unable to give "an account." The surgeon of Cold Bath Fields (to whose patients one of the classes of the accompanying cases refer) stated, at that period, "I have "never in any one instance known any ill effects "produced on the frames of either the men or women "who have worked on the Wheel, *nor can I tell* "*whether any are likely to follow* upon this kind "of discipline." Not such the Report of the surgeon at Guildford; "I have not witnessed a "single case of sickness on the part of the prisoners "that could be attributed to its use, *nor can I* "*conceive that any injurious effects are likely to*

" *be produced.*" Yet, Guildford has added, in no inconsiderable degree, to the list of my printed cases. At Brixton House of Correction (which has furnished me with further evidence) the surgeon supposes that this kind of labour will even prove a PREVENTIVE against varicose distensions of the veins; or, to adhere to his own words;—" *I should* " *conceive that such a disease, instead of being* " *produced, would much* MORE PROBABLY BE " PREVENTED, inasmuch as from *the kind and* " *degree* of exercise made use of, *the circulation* in " the limbs *being thereby promoted*, morbid dis- " tensions of the vessels will be less likely to take " place." I have only a slender knowledge of Surgery and Anatomy, but the idea I had entertained on this head was similar to the opinion expressed by Dr. Good, in the letter before mentioned*.

I refrain from making further comment on these extracts of official communication; they are here presented in the very form in which they were originally published.

Should the opinions, however, which I have advanced be clearly established; the mischiefs I have enumerated be eventually acknowledged and redressed; and the Tread-wheel† dismissed from our Houses of Correction, for the reasons that have discarded it from its application to Cranes and Threshing Machinery‡; an inquiry will possibly

* Appendix, I I. † Appendix, K K. ‡ Appendix, L L.

arise respecting some adequate substitute. To such inquiry it may be replied that there are at least two descriptions of laborious task-work, to which mills are equally capable of being attached, if the *supposed* profit of the labour in any way influence the predilection for this mode of punishment; although at Cold Bath Fields there is NONE*, "and the power derived from the action of about "two hundred and forty prisoners," as the Committee of the Society of Prison Discipline justly observe, "is expended in the air," by means of a regulating fly-wheel. I wish it to be distinctly understood that I am, together I believe with all who have objected to this mode of Discipline, a sincere and warm supporter of the necessity of hard and constant, but useful labour in all places of confinement. For I know not of any auxiliary more powerful or beneficial towards promoting the real welfare of their inhabitants. The two kinds of mills to which I have alluded, are the Hand-crank, and the Capstan. The Capstan, I have seen at Winchester House of Correction; and I understand it has been in use during a period of six years, and apparently with the happiest effects. It has the advantage of enabling the Governor so to place the prisoner as to apportion his labour to the degree of health and strength which he possesses. The Hand-crank, on an

* Appendix, M M.

improved plan, will, I have reason to suppose, be shortly given to the public by an unwearied friend to Humanity; and it seems to possess the imagined advantages of the Tread-wheel, without its disadvantages; especially, without its baneful consequences to the bodies and limbs of the workers. On entering the Southampton Bridewell, and requesting to see it as a stranger, "Sir," rejoined the Governor, "we have now no prisoners; we "have but three or four men, and one woman." I inquired how this happened? "I believe, Sir, it "is owing to the Mill; they do not like the labour "we have now; they used to do nothing, and they "did not mind being sent to prison; but the case is "altered." I expected to witness the Discipline that has been so generally popular, but I was surprised by the sight of a *Hand-crank Mill*, which four men were employed in working. I worked at it myself, and having recently suffered from my repeated efforts to continue the labour of the Tread-wheel, I found it comparatively easy; and observed that this could not be regarded as *too* severe. "We "do not know, Sir," was the answer made to me; "but see us at night, you will then find us worn "out enough." Now, this is as it should be; the prisoner, by the continued performance of his task, becomes gradually wearied and exhausted, till he procures a temporary and necessary relief in rest, and repose, and sleep. He rises the next morning refreshed and recruited; each succeeding day finds

him better able to endure the sentence of the law; and, at the period of his release from prison, by constant and daily practice he has acquired such habits of useful industry; and his hands, and arms, and limbs, and constitution, have received such fresh energy from exertion, that he no longer looks upon labour as the irksome and painful lot which he considered it before. Above all, he is restored to society with his health and strength unimpaired; and, perhaps, in frequent instances improved; consequently with less disinclination to provide for himself by honest industry, for the future; so that we are no longer at a loss to account for the vacant state of the Southampton Bridewell.

No good effect, on the contrary, either on the health, or habits of the prisoner, can be induced by his labour on the Tread-wheel. There is no common kind of work in this Country at which men, women, or children, are wont to earn their livelihood, where THE BALL OF THE FOOT is ALONE brought into action; and thus a great and important point of salutary discipline is entirely neglected. In confirmation of this argument I extract a passage from Dr. Good's Letter, marked by such sound sense and benevolent feeling that no apology seems necessary for offering it to your perusal. "The culprit just freed from the "Tread-wheel, though he should have escaped "the diseases and injuries to which he has been "exposed while under its domination, has gained

"nothing to facilitate his progress in any useful "employment: *with a greater hatred of a "prison life he will have no greater means, "and, perhaps, may have fewer of avoiding it:* "while the hand-crank man will find that, under "your improved machinery and regulations, he "has been serving a most valuable apprentice-"ship, and has become initiated in the healthful "and vigorous arts of *thrusting, pulling, heav-"ing, and bearing burdens;* for the action of "the cranks on the several muscular positions "of the body, in effect, prepares it for the "various relative duties of *manual labour.*" It is almost needless to remark, that cases of disease, or infirmity, will occasionally occur, where even ordinary hard labour ought not to be enforced; but, wherever it is practicable, these are the principles which should guide and govern its selection, and application.

On reviewing what I have thus written, I believe, Sir, that the substance of my objections to the punishment of the Tread-wheel, may be summed up under the following heads:—

1. It inverts the order of nature in its mode of operation; not only by making the feet perform the industrious office of the hands, and by its unnatural strain upon those parts which are

not designed for active exercise; but by throwing the whole weight of the body upon the fore part of the feet alone.

2. It allows of no change of position, or of action, in the muscles and organs, which are thus unnaturally exercised.

3. It is necessarily unequal in its measure in proportion to the age, health, strength, and previous habits of the prisoner.

4. Its morbid action overpowers the frame, and exposes the constitution to various maladies; besides a liability to fever, from the frequent alternation of heat and cold; and the undue excitement produced by extreme exertion.

5. It puts the prisoner in peril of serious accidents which no ingenuity seems capable of averting; from the breaking, and other irregularities of the machinery, as well as from the danger of falling off, through a sudden seizure of giddiness, faintness, or cramp.

6. From its intrinsic nature it has a strong tendency to degrade the moral character, by debasing and hardening the feelings; the shame at first excited too generally terminating in obduracy.

7. It harrasses and overwhelms the mind as much as it distresses and consumes the body.

8. It teaches no habits of useful industry which may be serviceable to the prisoner when released from its drudgery; and in no respect assists in

overcoming that aversion to labour which frequently occasions the commission of crime.

9. It is incapable of a discriminate application to different degrees of criminality—to those sentenced to hard labour under the charge of misdemeanours, and to those undergoing the punishment of convicted felons.

10. It has a tendency to excite a spirit of discontent and hostility on the part of the Poor, against their natural and legal guardians, and of falsehood on that of the offender towards those who superintend the infliction of the punishment.

11. It partakes of the nature of torture, and is alike revolting to the spirit of English law, humanity, and an enlightened policy.

12. It directly counteracts the impression of religious instruction; and is incompatible with a system of reformatory discipline.

Such, it appears to the writer of these remarks, are the most prominent evils accompanying this new description of prison *labour*, as it is speciously denominated. And the reflection and experience of each succeeding day confirm their truth, as well as add to the long list already enumerated.

These evils are *inherent* in the principle of the Tread-wheel Discipline, and no modifications of this discipline can cure, though they may, perhaps, palliate them. But that, even in its actual *practice*, this colossal Machine should not be allowed to

be exercised in the irregular and inconsistent manner, in which it is at present in different parts of the kingdom, must be obvious, according to every rule of justice and humanity. For, in some prisons, it is equally applied to all classes and descriptions of prisoners; in others, with certain limitations and exceptions. In some places, the term of labour is half as long again as it is in others; and the want of uniformity in the motion of the Wheel is still greater, varying from 6,600 feet in its diurnal revolutions, as at Lewes, to 13,000 feet as at Brixton, Guildford, and Cold Bath Fields; whilst the interval between these extremes is filled up in every diversified proportion. Thus, in some Houses of Correction, their inmates are doomed to an up-hill walk of *two miles and a half*, (which, with a small fraction, is the *utmost* it is *any where* deemed prudent to venture upon in the course of a day's labour,) whilst in others, the Magistrates have not thought it adviseable to fix a higher rate than *a mile and a quarter* for the same period of time.

The rations of diet allowed in the several Houses of Correction are not less different; and their variety is so perpetual, as to render it almost impossible to follow them up, and to compare them, from bread and gruel alone in small allowance, or meat digested into soup to a fare beyond that which the honest cottager is enabled to obtain by unremitting and laborious toil, of bread and

vegetables, with *solid* meat, and a daily supply of *beer*. Hence, from these last situations, a few individuals, famishing, and emaciated, when they went into prison, are now and then brought forward,

——" rari nantes, in gurgite vasto,"

to prove that they get heavier in defiance of the consuming tendencies of the Tread-wheel.

Such is the *practical* state of this novel mode of Prison Discipline, which has, nevertheless, been praised from one end of the land to the other, as though every modification of its exercise were right, and equally right; instead of every modification being at variance with every other, and each proving the impropriety of its opposite. It is time that some legal interference should take place upon this subject, and that the people should know something of the measure of punishment lawfully reserved and apportioned to the measure of crime.

The Tread-mill is indeed a plan so multifariously defective, although tried and retried, propped up, and praised to satiety, that the longer it lasts the more it must lose ground in the eyes of all moderate and reflecting men, who were at first disposed to think well of it. Such, and all whose minds are open to conviction, will gradually abandon their former views: they will *first* perceive, with the Committee

of the Society for the Improvement of Prison Discipline, that there are modes of correction better adapted to female prisoners; *Secondly*, that this is not an adviseable discipline for male prisoners indiscriminately; *Thirdly*, that if the Tread-wheel is employed at all, it ought to be accompanied with a considerable proportion of additional checks, and slides, and dial-plates, and tables of prison Logarithms, to reduce its present snail-like pace to so much slower a pace as may comport with the powers of those placed upon it; and, *Lastly*, that it will not be expedient to employ the Wheel thus guarded and circumscribed in its evolutions, except, in the case of incorrigible offenders; and even with respect to the incorrigible, where sentence does not affect life or limb, it may, from its distressing and dangerous nature, be considered an unfit penalty for a protracted term.

In short, I trust, that at no distant period it will be relinquished as a punishment, that can neither be safely recommended, nor justifiably inflicted; in consequence of those evils which I trust have been sufficiently proved to be inherent in the nature of the discipline, and essential to the machinery, under every form whether of lighter or heavier infliction.

I cannot forbear adding a few observations on another circumstance connected with the actual execution of the punishment. I advert to the large additional measure of discretionary power hereby

entrusted to the Governor as well as to the turnkeys; owing to the great number of cases in which it is universally admitted that the present infliction may, from sudden accidents, or other distress, involve extreme cruelty; and where, if continued, the consequences must be disastrous, and might perhaps prove fatal.

The Governor of a prison is already virtually possessed of an almost absolute and arbitrary power within its precincts; whilst the Visiting Magistrates are required but three times in every quarter of a year, to inspect the state of the gaol, and the condition of the prisoners*.

I am willing to hope, that the authority thus delegated, is generally exercised with moderation and forbearance. But, let it be remembered that the captive is for a time completely in the Governor's power; and that he has seldom any one else to whose ear he can prefer complaint, or at whose hand he can seek redress, until the monthly return of the Visiting Magistrate: who, from the very nature of this new discipline, has then but slender opportunity of conversing with those who suffer, and may be more inclined to trust to the representations of the superintendants, than listen to the allegations of the complainant. No reflection on individuals is intended in these pages, but the tendency of human nature ought not to be

* Appendix, N N.

overlooked; which in all classes of life is manifested by a disposition to avoid trouble, and to consult its own convenience; whilst here there is a difficult and painful duty to be performed.

By the system under consideration, the Governor is elevated into a judge of the sentence of the law; that law, which, by "HARD LABOUR," never contemplated a kind of discipline so unnatural, profitless, and abhorrent to the spirit of the English Constitution, as this of the Tread-wheel*. The sentence cannot now have its fulfilment, in numerous cases, without an infliction of extreme bodily pain †. Here then interferes a sort of second jurisdiction—that of the person permitted to decide how far the prisoner is able to endure the punishment; or when it becomes aggravated to such a degree, that it must not, and cannot be enforced any longer. It is unreasonable to expect that this discretionary power will, in every instance, be exercised with prudence and impartiality.

In order to obtain a more intimate acquaintance with the construction and application of this Machine reference may be made to the "Description "of the Tread-mill," published by the Committee of the Society for the Improvement of Prison Discipline. Though had I not been assured of the benevolent character of that Society—had I not previously seen, that the plate they have given is

* Appendix, O O. † Appendix, P P.

a faithful illustration of an Engine actually applied to the correction of our fellow-creatures—sentenced, indeed, to hard labour for their offences; but who, after this brief life is over, will exist in another and an eternal state—who are moral and accountable agents equally with those who have a lawful but temporary rule over them; and who must hereafter stand together at the common bar of Universal Justice;—had I not seen the fact before me, I could not have imagined that such idle ingenuity, and such refinement of speculative calculation could have been indulged or adopted in ascertaining to what extent the salutary sentence of hard labour might be unprofitably perverted. It is in truth *,

——————— "the toil
"Of dropping buckets into empty wells,
"And growing old in drawing nothing up."

Divested of all prejudice on the subject, I am quite at a loss to understand on what foundation the Tread-wheel has obtained admittance into our Gaols and Houses of Correction, and apparently without any adequate medical testimony as to its physical effects on the human frame. Even the testimony of professional gentlemen attached to prisons does not appear to have been requested, till the expense of the machinery had been incurred,

* Appendix, Q Q.

nor obtained, till they had received a bias in its favour. But great as that expense may have been, the public would willingly submit to its sacrifice, rather than sanction the continuance of a system so hostile as is the present to English feelings.

During the whole of my investigation of the nature and effects of this punishment I have been able to collect but two advantages, peculiarly attributed to it; the HORROR in which it is held by the prisoner, and the impossibility of his evading his task without risk of bodily harm.

It is not my object to agitate the question how far it may be lawful and expedient, in the existing state of society, and the temper of the times in which we live,—yet a statesman will attend to these considerations,—to attempt the reformation of morals, or the prevention of crime, by the use of extreme and arbitrary severity*. I will only observe that those who value this instrument of coercion from the feelings of dread and disgust excited in the mind of the sufferer, have but small prospect of obtaining the end in view. No such favourable inferences appear to be warranted by the prison journals with which I am acquainted; as, since the operation of the Mill in those places, the numbers of re-committals seem to have increased†.

And such must continue to be the case, if the

* Appendix, R R. † Appendix, S S.

views of Prison Discipline expressed in these pages be founded on a correct estimate of human nature. No labour that is so unnaturally exhausting as the Tread-wheel; that is performed by part of the feet only, instead of the hands and arms—so long as the ordinary labour of mankind continues to be what it has been for the last six thousand years—can ever tend to the reformation of the offender, or be fitly recommended for the prevention of offences. A reluctance to labour, I again assert, is, in nine cases out of ten, the parent of crime; and is it probable, that this reluctance will be diminished by attaching additional disgust and terror to the object whence it springs; as well as by enfeebling and incapacitating the frame from fulfilling its allotted vocation?

With respect to the Young, and the Untried, I trust there will be found in the assembled Senate of their Country, those who will appeal, and powerfully appeal, against the act of injustice committed towards the one, and the injudicious treatment (to employ no stronger phrase) inflicted upon the other.

I have now, Sir, both candidly and fearlessly, but, I trust, with due respect, represented to you, as the Minister of the Crown, presiding over the department of the civil and criminal administration of justice in this Country, the manifold evils which appear to threaten society, from the establishment of such a mode and measure of Discipline as the

Tread-wheel. It is a Machine, which, encouraged under the denomination of Hard Labour, might, if finally adopted and confirmed, be perverted to the production of the most serious consequences. That ingenuousness of character, that open and manly course of action, that love of truth and impartiality, that free and unbought respect for the laws, and those by whom they are administered, which have hitherto signalized this country among the surrounding nations, will, I fear, sink into oblivion under this debasing system of penal infliction. It degrades the very name and nature of Man. It tends to extinguish in the human mind all that yet remains of its high original—of a being that was made in the image of his Creator, and whose only happiness, here or hereafter, is to be sought in a restoration to that his pristine state. These are not the visions of an enthusiast, nor the dogmas of superstition; but "the words of truth and soberness;" they breathe in every page of the Book of Life; of that book, whose circulation is daily more and more diffused—whose spirit is gone forth in these latter times, conquering and to conquer, until every enemy of human happiness shall be subdued beneath its feet.

If, in making these representations, I should incur the charge of presumption, I may allege, that I have sought to fulfil the duty of a Constituent to his Representative: and I know that there are other Members of that University which

I regard with filial veneration, who view with alarm this terrific change in the Penal Laws of our country.

Yet sufficiently, Sir, as I might shelter myself under such a plea; I have been chiefly animated by the conviction, that I was fulfilling an important public trust, and discharging a very responsible office, which I voluntarily undertook when I became a Magistrate. I have seen the best and the wisest sometimes fall into error, and I am aware of the disposition of mankind to extend a right principle beyond just bounds; particularly when, from a prior neglect of that principle, bad habits have grown inveterate, and by a sense of their baneful and mischievous consequences, the mind is tempted to resort to a contrary extreme *. Let it be recollected that the Legislature, with its characteristic wisdom and caution, has most carefully refrained from noticing this new Engine of punishment in the last Gaol Bill, which was framed to consolidate all its former acts.

I desire, in conclusion, to assure those of my brethren, from whose opinions I have the misfortune to differ—that this circumstance in no way derogates from the sincere respect I entertain for their meritorious services, as the means by which so considerable a portion of the civil and criminal jurisdiction of this kingdom is ably and uprightly

* Appendix, T T.

administered. I am persuaded, that we are governed by the same general principles, and guided by one common object—a wish to adopt that kind of Prison Discipline which shall prove, in conjunction with the sentiments inspired by a love of our country, and of the religion of our country, best adapted to the prevention of offences, and the reformation of offenders.

I have the honour to be, SIR,

With great respect,

Your obedient and humble Servant,

JOHN IVATT BRISCOE.

Edwards Street, Portman Square,
10th February, 1824.

CASES

OF

TREAD-WHEEL LABOUR,

REFERRED TO

IN THE PRECEDING LETTER.

INTRODUCTORY NOTICE.

THE following Cases refer to Prisoners who have been undergoing the Sentence of the Law to "Hard Labour," by working on the Tread-wheel in the Houses of Correction at Guildford, Brixton, and Cold Bath Fields.

Their total number is sixty-three, and they have been taken from above one hundred in the writer's possession; not on account of their peculiarly aggravated nature, nor with any reference to the description of the crime, or the character of the several prisoners. The two last considerations do not, in the opinion of the writer, justly form a part of the present inquiry. The law has only sentenced them to be visited with "Imprisonment and Hard Labour" for a longer or shorter period, and has no contemplation of "bodily peril of man or woman" by such a sentence.

It is to this point alone that he wishes to confine his observations. He presents the following Cases in preference to others, because he has separately re-examined them in the presence of the respective Governors of the several Houses of Correction, and requested them to correct any mis-statement on the part of the prisoner. In some instances, mis-statement was hereby found, and was rectified at the time. Several cases have also been omitted, in consequence of the Governor's declaration that he believed the prisoners' statement to be untrue. Almost all the Cases in the House of Cor-

rection at Guildford, were re-examined with the Governor *separately* in the cell of each prisoner at night: those in the House of Correction at Brixton, were read over to each prisoner *separately*, in the Committee Room of that prison; every one at the Governor's suggestion leaving the room by a different door from that by which he entered, in order to prevent collusion. They also were examined by the Governor as well as by myself.

The Cases in the House of Correction at Cold Bath Fields I have taken at three different times; and on the last occasion they were re-examined in the presence of the Governor and an able and experienced Magistrate of the county, Samuel Purkis, Esq., to whom (although he does not entirely concur in my general view of the moral and physical effects produced by the Tread-wheel, nor in the degree of credibility which I consider due to the testimony of the prisoner examined,) yet I may with confidence appeal as to the accuracy and fidelity of the statements here given.

Many may object that the following evidence rests chiefly on that of the prisoner, whose word may be thought unworthy of credit. I agree that such evidence is always to be received with extreme caution, and that it should be confirmed or at least confronted by that of some competent and credible witness, or by the testimony of collateral facts, before a Magistrate ventures to assume its truth. But that the complaints of prisoners are to be totally disregarded, or asserted untrue before they are proved to be so, is contrary to those rules of justice by which I have been taught to administer the laws, and to regulate my own conduct. Much that is contained in these Cases does not however rest upon mere assertion, but upon *positive facts* which even alone speak for them.

selves. In many of them, and especially those in the House of Correction at Guildford, the prisoner is acknowledged to be well on entering the prison, and when he is first placed upon the Tread-wheel. He soon complains of illness, and his strength gradually and perceptibly declines; he is seized with pains in his head, chest, side, stomach, loins, knees, and calves of the legs, attended with violent perspirations, difficulty of breathing, loss of sleep, decay of strength, and all the usual symptoms accompanying a diseased and wasted state of body and constitution. He is at length *released from his punishment before the expiration of his sentence*; and *removed from the Wheel to the place appropriated for the sick*, where I find him more or less invalided, according to the kind of malady under which he labours.

Now, it is difficult for any human being to affirm, without the possibility of error, that these maladies have in every instance been *solely* produced by the sufferer's exertions on the Wheel. It is probable that in many the latent seeds of the disease previously existed, and that these morbid and unnatural exertions were but the exciting cause of its development. Yet *all* and *every* prisoner alleges some of the same sensations as those I have enumerated; and *the position they are placed* in, as well as the very frequent vicissitudes of chill and perspiration to which they are unavoidably exposed, have both an essential tendency to promote symptoms such as they declare they experience.

It has been insinuated both in print and in writing, in the publication of a private individual, and in an official report, that I solicited undue inquiries by leading questions respecting the nature and extent of the actual and local sufferings of those who had been subjected to this discipline.

It is not true that I ever put leading questions of any kind to the prisoners; I prosecuted my inquiries only so far as was necessary to substantiate or to disprove the impressions I had received *from the previous and voluntary description of their complaints*, and from having personally suffered in a temporary though not a trivial degree in my attempting to continue the labour on a Wheel of more than ordinary severity. Many of the Cases derived from the Houses of Correction at Guildford and Brixton, I considered entitled to small regard until I *found their subjects released from the Wheels by the direction of the Surgeon, and transferred to the Infirmaries.* I then *justly concluded* their *former* complaints had been well founded, and I was as naturally disposed to think the complaints of others in like circumstances might be equally true, and that they were entitled to further investigation.

The Tread-wheel is at all events a *novel experiment in the art of punishment*, an interpretation of the sentence of "*Hard Labour*" which was never contemplated, and I believe never would have been sanctioned, by the great and enlightened minds of the best jurists and wisest senators in former periods of our history.

Great difference of opinion respecting it at this moment prevails among the magistracy of the country: and the period and operation of my inquiries has proved to be in unison with a second circular letter from the Secretary of State for the Home Department, renewing official interrogations concerning its nature and effects.

I cannot therefore but feel that I have strictly adhered to my duty, in presenting the Cases which I did to my brethren in office at the Quarter Sessions held at Newington on the 13th of January; and I think it right to add, that although the amendment against my motion for inquiry was carried

by a very large majority, yet that it was seconded in two or three places at the same moment, and that the motion was put from the Chair as moved and seconded.

I here repeat, what I then explicitly stated and as sincerely felt, that no imputation was designed to be conveyed on those who, in opposition to myself, might think favourably of the use of the Tread-wheel. And whilst I again request candour and indulgence towards any trivial inaccuracies which these Cases may still contain, I am convinced that had all who differ from me suffered as I have done by working on this machine, and had they devoted several months to an almost daily and impartial investigation of this subject, they would at least unite with me in a conviction that they would incur no small degree of criminality in withholding the information thus obtained, and in refraining from publicly declaring the strong and deliberate opinion they had hereby formed.

It is only necessary to observe further, that the replies of the prisoners are uniformly given, as nearly as possible, in their own words.

CASES

IN

THE HOUSE OF CORRECTION

IN

COLD BATH FIELDS,

Examined 20th November, 1823, and Re-examined on 3rd January, 1824, in the presence of SAMUEL PURKIS, *Esq. and the Governor, and one of the Turnkeys.*

MICHAEL M'CAVE.—Age 49.—*Sentence, two years; in the Convalescent Ward.*

"I have worked on the Mill six months. I fell off from dizziness in the head, right through the trap-door, and was seriously hurt across my back by the fall, which I feel to this day. I was worn to a shadow, and till I could work no longer."

On the 3rd of January, having been off the Wheel for eight months, he added:—

"It had like to have cost me my life. I was not expected to live. I was bled and blistered. I was drawn double nearly."

THOMAS SOUTH.—Age ;—*in the Convalescent Ward.*

"I have worked two months on the Wheel. I was unable to work any longer in consequence of the pain in my private parts."

On the 3rd of January, he added:—

"I was ruptured before I came into prison! I complained of it, and the surgeon examined me, and said I was not."

DENNIS HAYNES.—Age 47.—*Sentence, twelve months; in the Convalescent Ward.*

"I have worked four months on the Wheel, and in consequence of a stricture, I am unable to work any longer. I stated the fact to the surgeon on entering the prison."

JOHN MANLY.—Age 20.—*Sentence, twelve months; in the Convalescent Ward.*

"I was quite well on coming into prison. I worked two months on the Wheel, and was unable to work longer from the swelling in my private parts."

On the 3rd of January, he added:—

"Nothing ailed me when I came to prison. I have now very great pain in my groin."

He had been taken off the Wheel for three weeks, and was then returned to work on it.

WILLIAM HAWKINS.—Age 23.—*Sentence, twelve months; at work on the Wheel.*

"I have worked nine weeks. I was quite well on coming into prison, and accustomed to work very hard. I never found myself ill till I came here. I have now great pain in the calves of my legs, and in my chest. I am getting weaker every day. If I continue here twelve months, I shall never be able to get my living at my trade as I did before."

On the 3rd of January, he stated, that he had been ordered off the Wheel, and his meat stopped twice in consequence.

JOHN GREEN.—Age 38.—*Sentence, two years.*

"I have worked on the Wheel eight months. I was quite strong and hearty before. I have totally lost the use of my limbs. I had no more strength than a child unborn." He described the gradual decline of his health, and his practice of rubbing his limbs on going to bed, to remove the stiffness he felt in them after leaving the Wheel.

He was then in bed, and scarcely able to move, in the Convalescent Ward of the prison.

CHRISTOPHER SPARAM.—Age 27.—*Sentence, two years.*

"I was quite hearty on coming into prison. I have worked six months on the Wheel. I have now entirely lost the use of my limbs."

He was also in the Convalescent Ward.

On the 3rd of January, he added:—

"I have been eight months in the Infirmary, through the work on the Mill, and the excessive hard living."

WILLIAM HENSLEY.—Age 18.—*Sentence, twelve months; at the Wheel.*

"I have worked six months. I was very well in health on coming here. I have been used to as hard work as any man in England of my age. I never found any so fatiguing as this. I have fallen away greatly. My chest is greatly affected, for which I have had a blister on

I have great pain on lying down at night. It catches me like."

On the 3rd of January, he repeated:—

"I have fallen away greatly."

WILLIAM RUST.—Age 24.—*Sentence, twelve months; at the Wheel.*

"I have worked five months. I was well in health on coming here; but I complain now of great pain in my limbs, and great weakness. I cannot sleep for pain in my legs, when I lie in bed at night."

On the 3rd of January, he said the same.

JOHN CHIPPERTON.—Age 28.—*Sentence, nine months; at the Wheel.*

"I was strong and well in health on coming into prison. I have worked seven months. Now, I complain of great weakness, and I have done so for the last three months. I feel strained, and I have pain continually in my back. I get little sleep at night, the pain is so great in my knees and back."

On the 3rd of January, he added:—

"I am a mere skeleton to what I was, though I have been always used to hard work."

GEORGE ABSALOM.—Age 17.—*Sentence, four months; at the Wheel.*

"I have worked five weeks. I was well in health on coming here. I have now a great pain in my leg, which has been broken! When I get off the Wheel, I can hardly walk, I am in so much pain. My pain reaches all

up my side to the shoulder. I cannot get rest at night, when in my bed."

On the 3rd of January, he stated:—

"Eighteen months ago I was a sailor, and I fell off the maintop."

THOMAS WILKINSON.—Age 21.—*Sentence, six months; at the Wheel.*

"I have worked ten weeks. I was very well in health on coming into prison. Now, I have great pains in my knees, in my groin, and across my loins. I feel the labour a great deal more lately. I get little sleep at night, my legs pain me so much."

On the 3rd of January, he said the same.

PROSPER MILLER.—Age 22.—*Sentence, six months; at the Wheel.*

"I have worked three months. I was very well on coming to prison. I do not wish to be better than I was. Now, I suffer great pain across my hams, loins, and the small of my back. I have great shortness of breath. A stitch takes me in the side, about the middle of the time I am on the Wheel."

On the 3rd of January, he had been taken off the Wheel; and his own words were, "I was not able to stand upon the Mill."

JOHN TRUMAN.—Age 51.—*Sentence, six months; at the Wheel.*

"I have worked five weeks. I was not well on coming into prison. I had an impediment in my urethra, but it is infinitely worse since I have worked at the Mill!

I cannot contain my water; at night it comes away from me every hour, giving me great pain."

On the 3rd of January he had been released from the Wheel.

MICHAEL DUFFY.—Age 21.—*Sentence, three months.*

On the 20th of November he was working at the Wheel; but I found him lying on the floor.

"I have worked one month. And I was very well in health on coming in, but the punishment here is greater than I can bear. I have been injured by a kick, and my private parts are so swelled that I cannot work! I am as ill as I can be. I am worked to that degree, I am not able to stand the Mill. I shall hardly go out alive."

This examination confirmed by him on the 3rd of January.

JOHN M'CORNACK.—Age 27.—*Sentence, six months; at the Wheel.*

"I have worked six weeks. I never have had a day's sickness before, for seven years; but now every night I cannot sleep for pains in my limbs. My feet are so swelled at night, that I can hardly get my stockings off. I have pain from my thighs entirely down. I feel my head very light. I think I am on the Mill all night, as well as the day-time."

On the 3rd of January he corroborated this statement.

These two Cases are subjoined, though they were not re-examined—the prisoners having been discharged from the prison previous to my last visit. I insert only that part of either, which relates to the accidents arising from the precarious nature of this complicated Machinery.

GEORGE LAWSON.—Age 24.—*Sentence, twelve months.*

"I was tossed off the Wheel, and my left shoulder has been severely injured by my falling on the stones, through the trap door—a distance of between nine and ten feet! I also severely hurt the small of my back, which I feel to this day."

WILLIAM JACKSON.—Age 54.—*Sentence, four months.*

"The edge of the Wheel caught my leg, and cut the flesh, from its giving a jirk as I was getting down. My foot was very much hurt also. It gives me great pain, is very sore, and is swelled as you see."

CASES

IN

THE HOUSE OF CORRECTION

AT

GUILDFORD,

Taken on the 9th and 25th of November, and on the 24th and 25th of December, 1823.

SAMUEL TOWERS.—Age 35.—*Sentence, three months.*

On the 24th of November, Samuel Towers stated:—

"I have worked three weeks on the Wheel. I feel my strength going very fast. I am very much ruptured, and was born so."

On the 25th of December I found that the surgeon had since examined him; and though, as I understood, he admitted the fact of rupture, yet conceived that he might still work on the Wheel. He stated to me, "I am sometimes swelled in size equal to my two fists."

EDMUND CAROLL.—Age 35.—*Sentence, twelve months.*

On the 25th of November, Edmund Caroll stated:—

"I fell off the Wheel on the 25th of September last, in consequence of the hand-rail giving way, and I have suffered a great deal from a contusion of the foot."

On the 25th of December, he added:—

"My foot is still very weak and much swelled, but I have gained in health and strength otherwise since I have been off the Wheel."

He was not well when brought into custody, and was not put to work till the 18th of January; he remained on the Wheel about six months, till the 11th of July, and was then removed into the Infirmary from a liver complaint. On the 25th of August he returned to the Wheel, on which he continued to work till the 25th of September, when the above accident occurred.

EDWARD BROUGHTON.—Age 20.—*Sentence, twenty-four months.*

On the 25th of November, Edward Broughton stated:—

"I have worked about fifteen months on the Wheel. I was quite well on coming in. I am now drawn almost double, so that I can hardly move. I have a great pain and weight on my stomach, and pain in my loins and legs. If I sit down I can hardly get up again. My arm, you see, is not larger than a child's arm."

The veins of his legs were becoming varicose. On the 25th of December I found him in the Infirmary, his body dreadfully swelled, and with a degree of hardness I could not have imagined. I both saw and felt his stomach. He complained also of a great pain in his side, for which he had been cupped.

He added on the 1st of February:—"I have been taken off the Wheel since the 28th of November till the 13th of January, now I work only half. I am better."

THOMAS WILLY.—Age 17.—*Sentence, eighteen months.*

On the 25th of November, Thomas Willy stated:—

"I have worked nine months on the Wheel. I was

quite well on coming in. I now suffer greatly from a pain in my side."

On the 25th of December I found him in the Infirmary. He had been taken off the Wheel from inability to work upon it any longer. He added:—

"I am very bad indeed. I have been both blooded and cupped, and I am taking medicine."

JOHN DOWLEY.—Age 19.—*Sentence, eighteen months.*

On the 25th of November, John Dowley stated:—

"I have worked three months on the Wheel. I was very well on coming in. I suffer now from excessive weakness and fatigue, and from great pain round my loins and legs."

On the 24th of December, I found him in the Infirmary, when he added:—

"I grew worse, and I was taken bad on the 28th with such a pain in my side, that I could not fetch my breath. I have been blooded, and I have had a blister on. I am extremely sore between my legs and in my groin. The Wheel has brought me to this state."

EDWARD MESSER.—Age 25.—*Sentence, two months.*

I found Edward Messer in the Infirmary on the 25th of December, when he stated:—

"I have worked eight days on the Wheel. I was quite well on coming in. I have now a great deal of pain in my head, back, and side, and I become so weak, that I could not stand upon the Mill."

RICHARD BELL.—Age 52.—*Sentence, twelve months.*

On the 25th of November, Richard Bell stated:—

"I have worked on the Wheel at intervals, during

eight months. I was very well on coming in. I work now in great misery. I can scarcely stand on the Wheel sometimes."

The fleshy part of the muscle of his legs was so reduced that it could apparently waste no further.

On the 24th of December, he added :—

"I now also feel much pain in my stomach and left side."

THOMAS HART.—Age 21.—*Sentence, twelve months.*

On the 25th of November, Thomas Hart stated :—

"I have worked on the Wheel about three months. I was very well on coming in. I suffer now great pain in my legs and loins, and bend of my arm, and wonderfully about my hips. I turn over twenty times at night with pain and shivery cold." He works in bandages.

On the 24th he added, "I am much the same, sometimes worse. It is owing to the Wheel."

THOMAS SMEA.—Age 55.—*Sentence, twelve months.*

On the 25th of November, Thomas Smea stated :—

"I have worked upon the Wheel at times, during nine months. I was as hearty as a man could be on coming in, but now my body is so swelled, and I have such a violent cough. I have got a blister on."

Do you find the labour severe?

"Yes, Sir; it tears a man all to pieces. My limbs too get so stiff on coming off, and then the cold strikes to me."

"He became weak and subsequently dropsical, and died on the 21st of January, having gone into the Infirmary on the 16th of November."

I inquired of the Governor on the 9th of January, if Thomas Smea was well on entering the prison, who replied, "apparently he was quite well."

WILLIAM MILFORD.—Age 28.—*Sentence, twelve months.*

On the 25th of November, William Milford stated:—

"I have worked on the Wheel eight months. I was well on coming in. I suffer now from great pain in my loins and breast. I find myself so reduced and in so weak a state that I shall not be able to get my bread."

On being asked why he did not complain to the surgeon:—

"I do complain, Sir," he replied; "but the surgeon tells me, it is the effect of the Wheel, and there is no remedy for it."

On the 24th of December, he added:—

"I now feel myself worse. My constitution is entirely decayed."

EBENEZER OAKLEY.—Age 22.—*Sentence, twelve months.*

On the 25th of November, Ebenezer Oakley stated:—

"I have worked on the Wheel four months. I was perfectly well on coming in. I am now extremely weak. I can scarcely stand in the morning, and can hardly keep myself on the Wheel. Every joint is weak. I feel a severe pain in my loins, and great shortness of breath."

On the 24th of December, he added:—

"I am continually in pain all night, and I keep getting a great deal weaker across my loins. I have had extra food."

On the 8th of February, I found him in the Infirmary, looking extremely emaciated, and complaining much.

THOMAS WEBBE.—Age 51.—*Sentence, twelve months.*

On the 24th of December, Thomas Webbe stated:—

"I have worked on the Wheel at times these five months. I was quite well on coming in. I have now a

eight months. I wa- [illegible] I have not been able now in great mi- [illegible] much in my back sometimes."

The fles[illegible] I take pills by the that it co[illegible]

On t[illegible]

"I [illegible]

side [illegible]

[illegible] I have not been able [illegible] much in my back [illegible] I take pills by the [illegible] on the Wheel.

ROBERT WARNER.—Age 20.—*Sentence, six months.*

On the 24th of November, Robert Warner stated:—

"I have worked four months on the Wheel. I was quite well on coming in. I have now a great pain in the back part of my legs, my loins, and left side. I get weaker every day. I can hardly stand upright. I know not how I shall be able to do a day's work. I have nothing to depend upon but my labour."

On the 24th of December, on receiving the same statement, I asked him why he had not complained to the surgeon?

"I have, Sir, and the surgeon says there is no remedy for it. The pain in my hips, loins, and sinews of my legs is owing to the Mill."

GEORGE WHITMORE.—Age 22.—*Sentence, eighteen months.*

On the 25th of November, George Whitmore stated:—

"I have worked on the Wheel at times, from fifteen months back. I was well, and hearty, and strong on coming in. I am now nothing but skin and bones. I am not fit for hard labour. I shall never be good for any thing again, and I have had extra food. I know not how I shall get my bread. I can hardly fetch my breath in the morning, or at night. I have much pain in my loins and chest."

On the 24th of December, he added:—

"All my bones ache, and cold chills fly all over me."

CHRISTOPHER LAMBORN.—Age 21.—*Sentence, twelve months.*

On the 25th of November, Christopher Lamborn stated:—

"I have worked on the Wheel seven months. I was quite strong and well on coming in, but I shall never be so again. This Wheel pulls me down so. I am extremely weak in my loins and calves of my legs, and I have a great shortness of breath."

On the 24th of December, he added:—

"I am sore all over, and my bones ache so, I am obliged to get up two or three times in the night. I have a pain too at the pit of my stomach when at work on the Wheel, but I have most pain altogether at night on leaving it."

JOSEPH COHEN.—Age 20.—*Sentence, twelve months.*

On the 25th of November, Joseph Cohen stated:—

"I have worked on the Wheel nine months. I was stout and hearty on coming in. I have now great pains in my insteps and calves of my legs, and I am very short of breath. I am troubled with a swimming and giddiness in my head, and I have frequent pains in my stomach, chest, and loins."

On the 24th of December he added:—

"I have most pain in my loins when on the Wheel, and most shortness of breath at night. I am very restless too at night, and I often do not get more than three hours' sleep."

JOSEPH LAY.—Age 26.—*Sentence, twelve months.*

On the 25th of November, Joseph Lay stated:—

"I have worked seven months on the Wheel. I was

badly when I came in. I am extremely weak, and suffer greatly from pains in my legs and loins."

On the 25th of December, he added:—

"I do still. I shall not be able to do a day's work when I come out. The Surgeon tells me that my weakness and pain is owing to the Mill."

THOMAS FARRAGE.—Age 18.—*Sentence, twelve months.*

On the 24th of December, Thomas Farrage stated:—

"I have worked on the Wheel four months. I was well on coming in. Now my bones ache all over. My knees pain me greatly. I turn over and over again, and I can get no rest."

JOSHUA GAUSHY.—Age 21.—*Sentence, twelve months.*

On the 25th of November, Joshua Gaushy stated:—

"I have worked on the Wheel four months. I was very well in health on coming in. I am now so weak, that I am often ready to drop off the Wheel."

WILLIAM NASH.—Age 27.—*Sentence, two years.*

On the 24th of December, William Nash stated:—

"I was weak on coming in. I then got better, and recovered my strength as well as ever I was in my life, before the Mill began. I was then pulled down to a very low degree, and was sent into the Infirmary as wardsman; and being off the Wheel I got stouter. I have now been at work again. I am getting weak and losing flesh. I want to recover my health so as to be able to go to work on leaving the prison."

CHARLES ETHERINGTON.—Age 68.—*Sentence, twelve months.*

"I have worked on the Wheel since last July. I have almost constantly a swimming in my head, and great pains in my left side."

On the 28th of December, I found that he had been spared, and had worked since but little.

WILLIAM REDMAN.—Age 28.—*Case of an untried Prisoner.*

I found William Redman in bed in the Infirmary on the 25th of December, when he stated:—

"I was very hearty on coming in. I have worked on the Wheel a fortnight, but I worked in so much pain that I was taken off. I have a great pain in my head and chest, with a violent cough."

He had been tried and sentenced to hard labour for six months, and on February the 9th, being again at work on the Wheel, he stated himself to be extremely weak and faint.

JAMES HULL.—Age 29.—*Sentence, six months.*

On the 25th of November, 1823, James Hull stated:—

"I have worked on the Wheel five months. I was quite well on coming in, as well and hearty as any man in England. I never knew what a day's illness was till I came here. I suffer now from a terrible pain in my chest, in my ancles, my knees, and the small of my back."

On the 24th of December, he added:—

"I still suffer the same, and I rest very ill at night. I seldom get any sleep after two o'clock, through the pain I have from the effects of the Wheel. I am afraid I shall not be able to do any thing when I come out."

PATRICK KELLY.—Age 30.—*Sentence, two years.*

"I have worked six months. I was not well on coming in. I have much swelling in my body, and great shortness of breath."

JOHN FIELDER.—Age 18.—*Sentence, six months.*

"I was quite well on coming here. I am now at times ready to drop off the Mill. It is from weakness and from the pain I have right across my loins. I have had extra food."

THOMAS SLADE.

"I have worked three months. I now suffer greatly from pain in my left side, and in the calves of my legs. My strength fails me very much. I can scarcely lie on my left side."

On a subsequent visit I found that he had been discharged from the prison, and returned to his parish of Godalming.

JOSHUA HORTON GARRETT.—Age 61.—*Sentence, two years.*

"I have worked three weeks on the Wheel, and I must have been dead before this, but for the humanity and consideration of the Governor. I am spared as much as possible. It strains the leaders of the legs so painfully."

CASES

IN

THE HOUSE OF CORRECTION

AT

BRIXTON,

Taken on the 21st of November, and the 28th of December, 1823, and on the 3rd of January, 1824.

WILLIAM LOCK.—Age 17.—*Sentence, two years.*

On the 21st of November, William Lock stated:—

"I was well on coming in. My toes have been terribly bruised by the Wheel, for which I was confined eight weeks in the Infirmary. I am now suffering from great weakness and pain across the loins."

On the 28th of December, he added:—

"In consequence of having been off the Wheel, I am getting hearty again."

HENRY OAKLEY.—Age 18.—*Sentence, three months.*

On the 28th of December, Henry Oakley stated:—

"I have worked on the Wheel five weeks. I was quite well on coming in. I slipt down on getting upon the Wheel, and hurt my thigh. I continued to work till I could work no longer."

I found him in the Infirmary with an abscess in his groin.

ROBERT BIGNALL.—Age 21.—*Sentence, three months.*

On the 21st of November, Robert Bignall stated :—

"I was quite well on coming in. I have worked a fortnight on the Wheel. I now complain of great weakness and want of food."

On the 28th of December, he added :—

"I have had extra food, but I am very weak across my loins. It has been coming on ever since I worked upon the Wheel, and I keep getting weaker every day.

On the 3rd of January, he added :—

"I still, Sir, keep getting weaker."

WILLIAM PERKINS.—Age 19.—*Sentence, two years.*

On the 21st of November, William Perkins stated :—

"I was well on coming in. I have worked upon the Wheel sixteen months. I now suffer great pain in the calves of my legs, and I feel great weakness in my loins, especially at night."

On the 28th of December, after bursting into tears, he added :—

"Nobody knows what I feel but myself. I have had my thigh broken, for which I was confined in St. Bartholomew's Hospital. I feel extremely weak, and have great pain in my loins. It is the work on the Wheel which makes me so weak. It is such fatiguing work; and yet I have been always used to hard work. I would sooner carry coals all my life."

On the 3rd of January, I understood that he had received a woollen bandage from the Governor.

JOHN FITZGERALD.—Age 18.—*Sentence, six months.*

On the 28th of December, John Fitzgerald stated:—

"I have been in prison five months, and I have worked altogether about three months on the Wheel. I had the v. disease on coming in, for which the surgeon gave me a remedy. I worked on the Wheel eight or nine weeks, when from weakness I was obliged to go into the Infirmary for three weeks and three days. I worked again on the Wheel for ten days: and, from the same cause, I was again sent into the Infirmary for ten days. I worked again on the Wheel for twelve days, and I was again sent into the Infirmary for seven days. I worked again on the Wheel for fourteen days, when the disease broke out in blotches all over my body. I have since been in the Infirmary fourteen days."

JAMES NORTON.—Age 28.—*Sentence, six weeks.*

On the 28th of December, James Norton stated;—

"I was weak and ill on coming in. I have worked on the Wheel eighteen days. I was unable to work longer from pain in my left side, and great shortness of breath. I have been blistered, and am taking medicine."

GEORGE SMITH.—Age 16.—*Sentence, three months.*

On the 28th of December, George Smith stated:—

"I was quite well on coming in; as well as I could be."

I found him in bed with a blister on, and unable to move from pain in his side.

"The pain, Sir, came on all at once."

His sentence had expired, and on the 28th of December I found him *again* in prison.

JOHN J. HAYNES.—Age 36.—*Sentence, three months.*

On the 28th of November, John J. Haynes stated :—

" I was well on coming in. I have worked on the Wheel six weeks. I feel now great weakness and pain."

On the 28th of December, he added :—

" I continue to feel a great weakness across my loins; and I have a great trembling when on the Wheel. I am worn down very much by the Wheel. It is owing to the Wheel, and to nothing else."

On the 3rd of January, when I saw him at work, he added :—

" I feel pain and weakness all over me. I am now ready to drop off the Wheel."

On being asked why he had not complained to the surgeon,

" I have complained to the surgeon," he replied; " and he has allowed me to have extra food."

THOMAS ELMORE.—Age 19.—*Sentence,*

On the 21st of November, Thomas Elmore stated :—

" I was well in health on coming in. I have worked five weeks on the Wheel. I was unable to work longer from extreme pain in my side, and with shiverings like pins and needles."

The surgeon who was present added, " In fact he has a dysentery."

On the 28th, I found he had left the prison.

JAMES REID.—Age 18.—*Sentence, six months.*

On the 21st of November, James Reid stated :—

" I have worked twenty weeks on the Wheel."

I saw him confined to his bed with an abscess in his side.

On the 28th of December I found that he had left the prison.

THOMAS BONIFACE.—Age 23.—*Sentence, six months.*

On the 28th of December, Thomas Boniface stated:—

"I had the v. disease on coming in, of which I was quite cured. I have now such a pain in my left side and my stomach, and such a weakness in my legs. I shall not be able to do any duty when I get out. I shall never have my health as I had before, the Wheel has so hurt my constitution."

He had been four times in the Infirmary, and only able to work a week the last time he was on the Wheel.

THOMAS COMBE.—Age 44.—*Sentence, six months.*

On November 21st, 1823, Thomas Combe stated:—

"I have worked five weeks. I was poorly on coming in. I complain of extreme weakness and pain in my knees, and in my arms." He looked dreadfully, and trembled all over.

On December 28th I found him taken off the Wheel, and making shoes. He stated himself to be better since he had been released from the Wheel.

MATTHEW LOCK.—Age 23.—*Sentence, two years.*

"I was well on coming in, but of a consumptive habit of body. I have worked fourteen months, with an interval of one week from illness and weakness. I feel an extreme weakness, and I have a complaint in my bowels."

On the 28th of December, he stated himself to be better since he had been allowed a pint of beer, and half a pound of meat every day.

The brother of the above had died in the prison of a consumption, on the 27th of February, 1823. He came in on September 2, 1822. He worked on the Wheel about twelve weeks, and was then removed to the Infirmary, where he remained till the day of his death.

CHARLES WEBBERLEY.

"I have worked seven months. At the end of three months, for cutting a blanket, I was shut up in a dark and solitary cell for eleven days, with nine pounds of bread only per week, and an allowance of water. On the tenth day the surgeon saw me, when I was so weak and exhausted from want of food, and from the confinement, that I was let out on the eleventh day. I was excused from working for the next five or six days, when I was ordered again on the Wheel. I then worked till I could work no longer, for about three weeks, and once I fell off." (The turnkey, however, states that he jumped off, in order to go and speak to the Governor, and fell down against a post.) "On that day I was removed into the Infirmary, where I remained twenty-eight days. I am now at work again, and I complain of extreme weakness, and faintness towards evening."

On the 28th of December:—

"I am better than I was in consequence of my rest, (for he had been again taken off the Wheel.) But now I have been at work for a fortnight, and my legs begin to pain me, and my eyes to grow dim."

THOMAS WOOD.—Age 31.—*Sentence, three months.*

"I have worked one month. I was subject to a pain in my side before I came in, but I was well at the time. I was taken off the Wheel when I could work no longer.

I am suffering from great pain in my left side, and from shortness of breath. I have had a blister, and have taken medicine."

WILLIAM COLEMAN.—Age 20.—*Sentence, one month.*

"I have worked a fortnight. I was quite well on coming in. But after a week's work upon the Mill, I was seized with this swelling in my private parts, and I worked in a great deal of pain before I complained."

JOHN MONROE.—*Sentence, two years.*

"I have worked eighteen months. I have been forced to wear a bandage, owing to weakness, and it has assisted me greatly. I have felt great pain in my loins, my thighs, and the muscles of my legs. I have been blistered in my loins and hips, and I have frequently complained of the work at the Wheel." I saw him in bed in the Infirmary, ill with a cold, which he ascribed to the thinness of the prison shoes, and the dampness of the yards.

JOSEPH WARD.—Age 26.—*Sentence, two years.*

I found him in the Infirmary, when he stated:—

"I have worked a day and a half on the Wheel. I came in ruptured! and I swelled so, as to be incapable of continuing on the Wheel."

On the 3rd of January, I found that a truss had been provided for him, and he had been again ordered on the Wheel. He complained of great weakness in his thighs, and pain between his shoulders, in his loins and groin, and in the calves of his legs; also, that the truss did not fit him.

SUPPLEMENT.

SUPPLEMENT.

DURING the progress of the preceding sheets through the press, I received, and have attentively perused, a Letter published by Henry Drummond, Esq. one of the Visiting Magistrates of the House of Correction at Guildford, on some of the Cases which I presented to the Court of Quarter Sessions on the 13th of January; in the Introductory Notice to which I premised, that they might contain small inaccuracies, notwithstanding my endeavours to the contrary. Aware of the responsibility I incurred, an unfeigned conviction of duty was superior to this consideration; but I certainly did not present these Cases, as is here confidently asserted, in order to justify my previously recorded opinion in the prison journal, but in the hope of exciting serious inquiry from that Court upon the subject.

A wide field for remark and animadversion is afforded by almost every page of this Letter, which I imagine will be the opinion of all who read and consider it impartially. For myself, I cannot but regard this flying from the substance to fight with shadows, as the most satisfactory testimony which could be furnished by a supporter of the opposite

side of the question. On the personal reflections with which the Letter abounds, I shall make no farther observation, than that, according to my judgment, they still farther betray the weakness of a cause which could call for such a mode of defence; and, being a stranger to the feelings which give rise to them, I have neither inclination nor ability to follow the example set before me.

The actual state and condition of the prisoners, such as I represented them, are not called in question in any one instance, and are in consequence concurrently established; although the morbid effects they evince are attempted to be explained by a reference to some other cause than that of labour on the Tread-wheel. A few of the premised inaccuracies appear to exist, but it appears also that they are of a nature which may fairly claim the candour and liberality of the reader, and the exposure of which as obviously constitutes the writer's main strength, and gives support rather than contradiction to the several statements. Some of the prisoners seem not to have worked altogether so long or so constantly, as I understood them to have done, and hence the same baneful effects are proved to have flowed from a less period of time, and a less degree of work. In others, these consequences are attributed to previous accidents and infirmities, with which I was not made acquainted, but suggesting additional reasons why those who were subject to them, ought to

have been exempted from this fresh aggravation of their sufferings. The previous habits and callings of the prisoners are also stated to have been various, some having been accustomed to very hard work, and others comparatively to lighter occupations; yet these opposite modes of life are equally brought forward to account for the injuries which have followed the labour of the Tread-wheel, and to exonerate it from the power of doing mischief; although it is evident, that without the Tread-mill no such injuries would have been complained of, or even known:—as it is also evident, that the inmates of a prison must at all times be brought together from almost every diversity of life and habit; and consequently, if this position be true, be alike exposed to suffer under the exercise of this new DISCIPLINE.

The present Writer's time would be idly spent in a more extended notice of a Letter so full of objections unessential to the main question, and he willingly therefore resigns it to the perusal of all who may wish for the body as well as the spirit of its contents, only adding a very brief account of a re-examination of the several Cases it has sought to invalidate as far as it has been possible, leaving the decision to the public, who are better qualified to form a more correct judgment of the evidence advanced and combated, than either of the parties who have taken the field.

MINUTES

OF A

RE-EXAMINATION OF PRISONERS

STILL IN CONFINEMENT

IN THE

HOUSE OF CORRECTION AT GUILDFORD,

Taken separately in the Committee Room in the presence of the Governor, on Monday, the 9th of February, 1824, in reference to the remarks of the preceding Letter of HENRY DRUMMOND, *Esq.*

EDWARD BROUGHTON.

How long had you worked on the Wheel in November last?

"I had worked nearly the whole time since the erection of the Mill in August 1822. I have been in prison twenty months."

"I was however taken off the Wheel on the 28th of November, and I continued off till the 13th of January. I now only work half the usual time, and I am much better than I was."

Did you tell me the story respecting the breaking your arm by falling from a tree five years ago, in taking a bird's nest?

"No, Sir, I complained of my arm, which has always pained me more or less."

Let me see it.

"You see, Sir, it has more flesh since I have had rest."

ROBERT WILLY.

Having read over to the prisoner his former statement, I asked him,—

Did you tell me any thing more?

"No, Sir, only my age."

Have you ever mentioned having fallen from a horse which trod on your side?

"Yes, Sir, I told that to a gentleman who was here a short time ago."

Did you ever tell me that?

"No, Sir."

RICHARD BELL.

Had you worked on the Wheel eight months on the 24th of last November?

"Not all the whole of the time, Sir; I was on and off.

"The labour is so fagging both for young and old, and the old could not stand it, if they had not rest."

THOMAS HART.

Who is stated by Mr. Drummond to have fallen from a cart, three years and a half ago, when the wheel passed over both his shins.

"The surgeon ordered the bandages to strengthen my leg, and they do me good; but my legs swell a great deal, after I have been on the Wheel two or three spells."

Thomas Smea.

Mr. Drummond has stated, that this man was originally of an asthmatic habit of body, that he became weak and dropsical, and finally, that he died on the 21st of January; not having been at work for three months previous to his death.

"He went into the Infirmary on the 16th of November, where he had mutton chops, porter, puddings, tea, or any thing else that was ordered by the surgeon."

I inquired of the Governor if Thomas Smea was well on entering the prison, who replied, "Apparently, he was quite well."

William Milford.

Having read over his former statement, I inquired:—

How do you feel now?

"I never was in so weak a state."

But you think that the labour of the Wheel would not be hurtful to you, if you had more to eat?

"I never said so. A Gentleman the other day put this question to me:—'Suppose you had four times the quantity of food which you have now, would the labour then hurt you?' I replied, "that I should be better able to stand it. I always thought that the Wheel would be injurious to the constitution: but not so injurious if we had more nourishment. This is exactly what I said."

Ebenezer Oakley.

I found Ebenezer Oakley in the Infirmary, looking extremely ill, and complaining much, and especially of a pain at his heart.

Thomas Webbe.

How long had you worked on the Wheel in November last?

"Five months—but not constantly."

The prisoner added:—

"I have now a great pain at the pit of my stomach, and I believe it is owing to a cold I have caught. I feel so queer in my inside, and I am so relaxed. I have had a great deal of blood come from me for seven or eight days. The blood keeps trickling away."

Why have you not complained to the surgeon?

"I do not like being sent to my cold cell, and I do not like mentioning my case before the other prisoners. I hoped that it would have gone off."

I afterwards inquired of the Governor, if he supposed that he had spoken the truth, who replied, "I dare say that he has. This man's character is good, (of course, comparatively,) and he has behaved extremely well in prison."

George Whitmore.

I inquired of the Governor if there had been any disposition to insubordination?

"None, Sir. The number of applications to the surgeon has certainly increased, and the effect of the labour is more complained of."

This is quite natural:—and I will assign at least one probable cause. The Wheel has only been in operation since August 1822, and there have been several intervals of intermission. Those, therefore, who have been sentenced for two years, day after day to undergo this unnatural and exhausting toil, would gradually suffer more from its injurious effects.

CHRISTOPHER LAMBORN.

"I am worse than I was a time ago. I acted as wardsman, and I had extra food. I am now very weak, and I have a great shortness of breath. I have too, a swelling or kernel under my jaw, arising I think from cold."

But, you do not consider the labour on the Wheel in itself very hard?

"Yes, I do, Sir. The labour is too hard for me, I have done hard labour before I came here, but I have found no labour like this."

If you had more food, should you then consider the labour too hard?

"I should be able to stand the work better, Sometimes I sweat on the Wheel—I get down—and I get cold. Cold shivers come over me—and my bones all over seem so sore."

Do you sleep at night?

"Sometimes I rest, and sometimes I do not rest."

The Governor afterwards added, that the character of this prisoner entitled his statement to consideration. He has lost in weight twenty pounds.

Joseph Cohen.

I inquired of the Governor if he considered that the statement of this prisoner could be depended upon?

"I think not, Sir;" and from his contradictory statements to me I am inclined to form the same conclusion.

Joseph Lay.

Having read over his former statement, I inquired, Do you still suffer any pain?

"I suffer in my loins and calves of my legs, and I have a pain in my breast. It is owing to the Mill, and want of food."

When do you suffer most?

"When I am on the Mill—and in bed—I cannot rest. I do not think I shall be able to do any hard work when I go out. I do not indeed, really Sir." His look indicated illness.

I understood from the Governor that he had behaved well in prison, and that something favourable in the circumstances of his case had appeared on his trial.

Thomas Farrage.

"I find myself a great deal worse."

Why do you not complain to the surgeon?

"I have, Sir, and he has ordered me off the Wheel. I could eat double what I have, owing to the Wheel. I am extremely weak, and I have such a shortness of breath. I can't keep myself still at night. I have like an ague, with water running from my mouth, when I awake."

Joshua Gaushy.

"I continue much in the same state. My pain is in my left side. It has been coming on some time, ever since I worked upon the Wheel, but it is now almost continual. I never had the pain till I came here. I consider it is the Wheel, and the surgeon tells me so. He says, "it is the effects of the Wheel. I can do nothing for you." I have lost much flesh, and I feel as if my strength was leaving me when on the Wheel." I afterwards requested the opinion of the Governor. "I think, Sir, the lad tells the truth, that he is bad."

William Nash.

I do not find among my Notes the re-examination of this prisoner, and I do not choose to insert any from memory. I add therefore a part of his statement as given by Mr. Drummond.

"Since he has been at work on the Tread-wheel he has experienced *pains different from those he ever felt before*, and he thinks the *pains* proceed *probably* as much from *cold after being overheated*, as *from the labour of the Tread-wheel.*"

"He considers the labour as *severe* punishment, but does not think that it would be prejudicial, if the prisoners had a greater quantity of food."

"This man has evidently had a superior education, and from the candour with which he spoke about the justness of his own punishment, the necessity of rendering prison discipline severe, and the inconveniences which he

himself experienced, I consider his representation deserving the fullest confidence."

Charles Etherington.

I do not find any Note of this Case—but I am quite willing, instead, to quote the statement made by the same Visiting Magistrate,

"It is not true that Charles Etherington worked from July to November on the Tread-wheel. When he first came into prison, there was very little employment for the Mill (grinding corn), and therefore several of the prisoners worked only part of *each day: of this latter number was Charles Etherington.*" The age of this prisoner is within two years of that recorded as the present average term of human existence.

William Redman.

Did you request as a favour to be allowed to go on the Tread-mill?

"No, Sir."

Have you not said so to a Magistrate?

"I have seen no Gentleman but you, Sir."

How came you then to go to work?

"The Governor gave me the offer, and I went to work to get the same allowance of food as the other prisoners. The weather was then very cold, and I thought it better to work and have more food, than to have bread and water only, and do nothing."

An additional quantity of meat was daily ordered at this period, but discontinued, as I understood, from the Visiting Magistrates finding that they had not sufficient authority to give the order.

I take occasion to mention here the very great increase in the number of prisoners confined in the present House of Correction at Guildford. They are now between sixty and seventy, and have more than once exceeded eighty. In the old House of Correction, the number was usually eight or ten; and of these, some were only detained in safe custody before trial.

I am informed that this increase is principally owing to prisoners who are sentenced to long terms of hard labour from the Sessions and Assize at Newington being sent there, of whom not more than three or four were formerly sent to the old House of Correction.

183829

APPENDIX.

APPENDIX.

A. *page* 7.

"The Poor House or House of Industry immediately alluded to is that of the Hundred and Division of Cosford, in the county of Suffolk, containing not less than eighteen parishes, and incorporated by Act of Parliament.—The immediate result of its use, was a general and loud discontent; and *several were committed last year to Bury Gaol, for refusing to work at it.*"

Correspondence on Prison Labour, pp. 84, 85.

✣ *page* 8.

Under this head may be classed a history related in the 54th page of the Fifth Report of the benevolent Society for the Improvement of Prison Discipline, to whose statements I shall frequently have occasion to refer.

"In the removal of transports from the country they are occasionally lodged at Newgate for one night, whenever that the party happen to reach town too late in the day to proceed to their place of destination. A FEMALE convict from Cardigan Gaol, on her way to the Hulks, was brought in very recently, *chained in a most shameful manner.* The chain was fastened *by the usual ring and iron bolt to her leg* above the ancle, it was again *attached to her thigh*, a little above the knee, and

the end of it was *fastened by a cord round her waist;* to the cord was attached *a pair of handcuffs.* In this state she was brought in late at night by her two male attendants: she was not suffered to be passed into the female ward of this prison until these fetters were removed from her person; this was performed in the presence of the female officer on duty, and although THE IRON BOLT was detached with all the care practicable, IT OCCASIONED HER TO FAINT UNDER THE PAIN. These facts were represented by an eye-witness, and may be entirely depended upon: the convict herself declared she was *kept in chains during her term of more than a year's imprisonment.*" The Report also alludes to other Cases of a like kind.

Howard of immortal memory, in his excellent book "On the State of Prisons," quotes a remark of Fielding's, that "the sufferings of the poor are indeed less observed than their misdeeds; not from any want of compassion, but because they are less known; and this is the true reason why we so often hear them mentioned with abhorrence, and so seldom with pity."

In the 16th page of the Report from whence this sad specimen is taken, we are further told, "the Committee are compelled to add, that there yet exist prisons in nearly the same condition as that in which Howard left them—monuments of the justice of his statements, and of the indifference with which his recommendations have been regarded."

B. *page* 8.

I quote several specimens of Prison Dietary, on the authority of the Committee of the Society for the Improvement of Prison Discipline.

"Leicester.—*One pound eleven ounces of bread per day.* This ration is distributed every other day; and our correspondent adds, he is informed, that some of the men will occasionally *eat their two days' supply of bread in one day.*"

"St. Albans.—*One pound and a half of the best wheaten bread per day.*"

"Ashborne.—The allowance of food is *only three quarters of a pound of bread per day!*"

"Newcastle.—*Three-pence per diem* to each prisoner, which *he lays out to the best advantage.*"

"Plymouth.—The allowance of food is a *two-penny loaf of bread only per day.*"

C. *page* 10.

It has been repeatedly advanced, that the prisoner preserves an erect position of the body when labouring on the Tread-wheel; and, therefore, that he can sustain no physical injury from its exercise. Now, it is one of the most forcible objections to this labour that the prisoner, while undergoing it, *does not*, and *cannot*, preserve an erect position; and it is matter of just surprise that any person who has reflected on the subject, and who has beheld this machine in action, should be led to indulge in such an error.

An erect position is that of nature; but, in order to obtain this agreeably to the laws of nature, or the laws of gravity, which are the same, the body ought to press firm on *the entire foot.* The moment this condition is changed, the position is ordinarily changed also; and the body is thrown out of its perpendicular to preserve the new line of gravity necessarily subtended, and prevent the individual from falling. Who ever heard of or ever accomplished, the feat of walking up hill in an erect position?

The whole weight being in this case transferred from *the entire foot* to its *plant, or fore-sole*, the body becomes necessarily bent forward, and deprived of the important fulcrum of the heel-bone (the os calcis of the anatomists), and its auxiliaries; and consequently of more than half its proper and natural basis, and that into which the tendons of all the muscles of the hind part of the leg, and particularly the great Achilles tendon, are inserted. Hence the chief cause of the weariness of climbing a steep beyond that of walking on level ground, while the fatigue is increased by the act of directly opposing the force of gravitation by the very ascent itself.

Both these sources of distress occurring to us in ascending a hill compel us continually to stop, take breath, and give relief to the organs thus deflected into an unnatural bearing, by replacing the body on its proper and natural basis. But in labouring at the Tread-wheel, while both these are brought into full operation, and without any pause, respite, or relief whatever till the period of the task-work is performed, there is another aggravation of the distress which merits particular attention on two accounts; because it has hitherto been little noticed, and because it is equal to both the other sources of exhaustion put together. I mean, that in the up-hill labour of the Tread-mill there is *no fixed footing* at all, not even for *the plant of the foot*. From the rotatory motion of the Wheel, the momentary footing obtained, is incessantly giving way, as in a quagmire; the two feet are in opposite and contending actions, the one falling and the other rising, instead of one being fixed, and the other moving upwards, as in natural up-hill work. The whole force of the body is, moreover, concentrated, not to accomplish an ascent, but merely, as in the case of a quagmire, to keep the body from sinking: for after all

the tug and toil of the whole day, the man, at night, is only where he was in the morning; and not an inch of acclivity has been really gained. Hence, the exertion of ascending a hill, however steep, and whatever the effort required, can never be regarded as a due scale for measuring the *agonizing* task of working on the Tread-wheel, (I use the epithet alike in its Greek and in its English sense,) and cannot justly be put in comparison with it. Hence, too (which it is otherwise impossible to explain) the solution of that *enigma* of the present day—the violent *heat, thirst, perspiration, rapidity of pulse, pain in the loins and legs*, and all the other symptoms of a morbid excitement, and a morbid exhaustion, produced in our newly-regulated prisons *by slowly walking over two miles*, or *two miles and a half* of an apparent up-hill foot-way, *in the course of eight or ten hours*, with *the allowance of a respite at the close of every quarter of an hour.*

I should not, perhaps, omit, that it is stated to be *possible* for prisoners to place nearly the whole of the foot upon the Wheel. It can never be done for more than a very short time, and for myself, *I have never seen prisoners attempt it.* The gain in position is accompanied by so painful a strain of the tendons about the knees, that it cannot be persevered in by any one. And the Governor of Brixton Prison has declared that such a change of position is never effected there.

D. *page* 10.

Sir William Blizard expresses himself thus: "On the Tread-machine, the abdominal muscles are kept in constant action, and the extensor muscles of the back always on a stretch. Now for full respiration, the abdominal muscles and diaphragm should act alternately."

Correspondence on Prison Labour, p. 105.

E. *page* 10.

"A Member of the Royal College of Surgeons, late Surgeon of the 4th Surrey Local Militia, and of long established professional practice, having accompanied me to Guildford, in December 1823, has since communicated to me his written opinion:—" On inspecting most of the prisoners, I was uniformly told, *they had invariably lost in weight*, since their respective admittance into the prison. They complained of weakness, and pain of the loins; *the veins of the legs in several of them were varicose*, and the general appearance of those who had been confined some time, *pale* and *reduced in strength*. These were visible effects; but I should think the exertion liable to induce *rupture* in young subjects, with *affection of the loins and kidnies*. For females, I am decidedly averse to its employment."

F. *page* 12.

" I was anxious to learn how far the maladies I had pointed out as peculiarly likely to follow among the confined women had thus far been superinduced; and especially whether the periodical discharge had in any instance been brought on before its time, or had even been rendered excessive. And on inquiring upon this point it was no longer concealed from me that such accidents had several times occurred, and in most instances with circumstances of great indecency; for, from the suddenness with which the evacuation returned, the effect was rendered obvious, *and the foot-boards stained with tis flow in the presence of the male keepers.*"

Letter from Dr. John Mason Good, M. D. to Sir John Cox Hippisley, Bart. 21st Oct. 1822.

G, *page* 12.

This passage does not coincide with the Report of the surgeon of the House of Correction at Guildford, lately given in the newspapers, respecting the cases of Hall and Loder, who had been working at the Tread-wheel, while suckling their infants. I saw the last of these women three times, and on the first of these times, the 9th November, 1823, she complained of want of nourishment for her child. On my second visit, I saw both the women at work on the Wheel. The cries of their infants re-echoed through the prison almost unceasingly, and they then looked pale and sickly. I have never before publicly noticed these cases, but I do not hesitate to declare my decided opposition to the practice of punishing a woman in this manner, under any circumstances, and particularly while performing the office of a *nurse*.

It is freely admitted by an advocate of the Tread-mill, that "the prisoners *even in very cold weather perspire profusely*" from the exercise; and I believe it is equally admitted, that a nurse on being accidentally heated, never suckles her infant till the temporary excitement subsides, as her milk becomes acrimonious, loses its nutritious quality, and injures the general health of the child.

Even after performing the comparatively light task of ironing in a laundry, a mother usually draws off part of her milk before she puts her infant to the breast.

The same practice and for the same reasons, is observed towards domestic quadrupeds: From a mare who works in a cart at a foot's pace, the first part of the milk is directly drawn off, and the mare kept away from the foal for an hour and a half from the time she is taken out of harness.

The unceasing cries therefore, and the sickly looks of these miserable infants, no doubt proceeded from the unwholesome nature of the food which they drew from their unfortunate mothers during the intervals of their being worked upon the Wheel; unless indeed, the usual effects of nature are controlled and suspended by a residence in the House of Correction at Guildford, and health and strength follow from a toil, which in every other place would produce disease and debility.

The Report above referred to admits, that "the woman Loder" was put on the Wheel on the 13th of October, although she was "*in a feeble and emaciated state;*" and although "*the preservation of the life of her child was considered very precarious.*" She was, in consequence, taken off "in half an hour," that is, I presume, when she had worked two turns; (each turn occupying a period of fifteen minutes.) But, I ask why she was put on at all, *in an emaciated state*, and *when the preservation of the life of her child was considered precarious?* After the lapse of a fortnight, by means of extra food for herself, and bread and sugar for the child, both revived; and her labours on the Wheel are stated to have been renewed on the 31st of October, and continued till the 15th of December. During this period, the report says, that she gained in weight nine pounds. This, considering her previously emaciated state, or, more correctly speaking, her state of starvation, "*having had nothing but potatoes* (Mr. Drummond informs us, "only *a few of these* and water,*") *for many days prior, and three days subsequent to the birth of her child,*" would be neither improbable nor important; for the allowance of extra food, and her frequently (according to the Report) working but

* Letter to the Justices of the Peace, &c. page 40.

thirty out of every sixty minutes, and that only for the space of three hours of actual labour in the whole day, would readily account for such an increase. More particularly as she had been allowed an entire fortnight's rest before she was placed upon the Wheel. It is further asserted in the Report, that "on the 15th December, *she took cold*, and was by the surgeon's order confined to her Ward," and that in the seventeen days following she lost two pounds and a half in weight. I saw her myself in this interval on the 25th, when she expressed herself to be better, and said that her supply of milk was returning since she had left the Wheel.—I remember little of Hall, whom I saw but once, and but for a short time; her sentence only extended to one month, that is, (I suppose) to three weeks' labour at the Tread-wheel: but as "*she prayed to be permitted to suckle Loder's child, and did so to the end of her confinement*," it proves that the real mother had not a sufficiency of nourishment for it herself. If however Loder "declared she had more care taken of her, and *was altogether* MORE COMFORTABLE *during her imprisonment*, THAN SHE HAD EVER BEEN BEFORE;" such an assertion must, surely, be considered by its advocates, "to the prejudice of this most efficient system of correction." For if Loder's offence formed, as the Report tells us, a case so aggravated "that the parish officer of Godalming requested an EXAMPLE *to be made of her*," with a view, as I conceive, of deterring from similar offences hereafter,—I ask, in what manner can this be supposed to have been accomplished, provided her COMFORTS, during imprisonment, were such as are here represented; and she expressed, as we are told she did, much apprehension, that "*she should not fare so well on her return home?*"

Little is said but in general terms of Hall, except to the exuberant state of her health derived from the *salutary exercise* of the Wheel: but I received lately a letter from the professional gentleman to whom I have antecedently referred, and on whose judgment I can fully rely, by which some additional information is furnished respecting this woman also, and its substance is here inserted for the perusal of the reader:—

February 10*th*, 1824.

"Having by chance met one of the poor women, who lately worked on the Tread-wheel at Guildford, I have intruded on your time, to state some circumstances which may probably assist the cause you have espoused. Her name is Hannah Hall. She was committed for one month on a *charge of vagrancy*, under the existing Act. Her husband, a mender of chairs, was sent with her. Her infant was at the time of commitment about three months old. She was not allowed *any access to the fire*, excepting on *three Sundays*, and during the times of her periodical indispositions; and even then only in the Ward-room without a casement, by which the fire could be of but little benefit. But an important circumstance of the effect on the female constitution is to be related:—She was taken in a state of menstruation at her regular time; the discharge had been profuse and excessive, for which she was obliged to leave the Wheel for five days. On recovery she returned to the Tread-wheel, when its effect was extreme faintness, together with a *return* of the discharge, which was *attended* with *considerable pain in the loins and side*. In that instance, the exertion appears to have produced the secondary attack."

These particulars may serve to shew, that the exercise

of the Tread-wheel was not *quite* of so salutary a kind in the cases referred to, as the Surgeon to the Guildford prison has ventured to represent.

Indeed, both common sense and right feeling lead us spontaneously to protest against the practice of thus condemning to the Wheel the weaker sex, whose sense of shame is more likely to be annihilated than improved by the indecent exposures involved in the infliction of such a punishment.

The sentence, as I well know, is often executed by the Governors of our Bridewells with great reluctance; and I fully remember that one of them once told me "Sir, *I* will never again place a woman on the Wheel: the Magistrate himself may come and enforce the sentence if he pleases."

I am induced to enter into these details from the strange infatuation which seems to prevail upon the subject, and from the little sympathy which has yet been awakened in the public mind. Even the salutary vigilance of the British press has has been but little alert, with the exception of one remarkable instance, that of a paper whose motto is "For God, the King, and the People;" and whose principles are those of the most zealous loyalty to our established institutions in Church and State. In this paper, another letter in vindication of the Tread-mill, appeared from the pen of Mr. Jackson, the Surgeon of the House of Correction at Guildford just referred to, and as it runs plausibly and conceals, though unintentionally, the very facts upon which the question chiefly hinges, made an impression on many persons, it is necessary to quote it before offering any comment upon it.

"I read with no small degree of surprise in your paper of the 24th of August, some observations relative to the use of the Tread-mill, together with copious extracts

from Sir John Cox Hippisley's work, in which a truly horrible account is given of the sufferings of the prisoners in the House of Correction at Cold Bath Fields. These observations and extracts are so completely at variance with the state of things as they exist in the House of Correction at this place, more especially with regard to *the effects of the Wheel on the female prisoners*, that I am induced to trouble you with an account of the weight of *all* the women who have been admitted into this prison between the 1st of May and the 1st of September, by which statement I trust I shall be able to show that (if increase of weight be a proof of good health,) the women are in better case than when they were admitted.

Name.	*Date.*	*Weight.* st.	lb.	*Date.*	*Weight.* st.	lb.	
Eliza Simmons,	May 3rd,	8	3½	Aug. 9th,	8	8½	Gained.
Frances Farmer,	.....	8	10½	.....	9	0½	.....
Catharine Hargrave.....		7	13½	.....	8	1½	.....
Ann Towers,	May 16th,	7	11	.....	7	10	Lost.
Mary Hilton	.....	7	6	.....	7	2½	.....
Maria Harris,	.....	8	10½	.....	8	2½	.....
Fanny Welsh,	June 13th,	9	6	.....	8	13½	.....
Bridget Welsh,	.....	9	10	.....	9	4	.....
Joanna M'Carthy,	May 16th,	8	3	.....	8	10½	Gained.
Mary Key,	.....16th,	9	4	.....	9	8½	.....
Sarah Pledge,	.....	8	1	.....	8	3½	.....
Jane Baker,	.....	7	10½	.....	8	4	.....
Caroline Taylor,	.....	8	3	.....	7	11½	Lost.
Sarah Mainer,	June 13th,	7	11	.....	7	7	.....
Sarah Head,	July 12th,	10	4	.....	10	4	Equal.
Mary Reading,	.....	7	0½	.....	7	0½	.....
Abigail Speed,	.....	8	9	.....	8	10	Gained.

"By this statement you will perceive that with very few exceptions, the women have gained considerably in weight, and of those who have lost weight, two, *viz.* Hilton and Harris were labouring under disease at the time of admis-

sion, on which account they were seldom put upon the Wheel. I beg leave to add, that I have witnessed none of the bad effects of the Wheel on the hands of the female prisoners, as mentioned in Sir John Cox Hippisley's work: with regard to the dreadful consequences described by Dr. Mason Good, as likely to result from the labour of females on the Tread-wheel, I most positively declare that no such consequences have existed here. The prisoners, and more especially the women, are in good health—the few cases of sickness which have come under my care, have generally been chronic diseases of long standing, and were so at the time of admission into this place; and I do most solemnly declare that I have as yet witnessed no bad effects on the legs, arms, or bodies of the prisoners from the use of the Tread-mill.

"My object in troubling you with this, is to elicit truth, and to do away what appears to me, judging from its effects in this place, a groundless objection to a humane, useful, and harmless instrument of punishment.

"If the above be deemed worthy a place in your paper, you will oblige me by inserting it.

"I am, &c."

"*Sept. 2d*, 1823."

"P. S. On visiting the prison this day, I found that the Mill was not at work, on account of the want of corn.—The men were in their different airing yards, and the women all employed at needle-work, at which they appeared to be very expert, not one of them complaining of horny or blistered hands."

What, now, must be the surprise of the public, upon learning the actual circumstances of the case, and that the women here alluded to had never undergone the

regular task of the Tread-wheel at the time, and hardly indeed any task upon it whatsoever. They had been worked, as I am expressly told by the officer who best knows, "VERY LITTLE INDEED, AND SOME DAYS HARDLY AT ALL."

Mr. Jackson, however, I am further informed, "was not aware that they had not been worked regularly," and thus misled the public, as to a positive fact, and a most important feature of the case.

For myself, I entertained no doubt that something like this would prove to be the case, whenever I had the means of accurately ascertaining the fact, because it is physically impossible that the female frame should be able, not merely to endure, but *to thrive upon* a state of exertion which will exhaust the stoutest and the hardiest male constitution,—and improve upon a system, whose distressing influence I have felt in my own person, and whose disastrous consequences I have witnessed. I entreat all who doubt or disbelieve such influence or such consequences, to a personal experience of them. Let them ascend the Wheel, and work upon it for a single day, with the usual interchange of toil and pause, and let them record their opinion; and, I am persuaded it will be materially different from that entertained by them before ascending the Wheel. The language of the Chaplains, the Surgeons and Governors of various Houses of Correction, concurrently justifies me in makng this earnest appeal.

It is most melancholy to reflect, that motives of false delicacy, or an undue deference to those in power, should often prevent the honest and manly expression of sentiments which, though unuttered, are still felt deeply by many connected with our prison establishments on a

subject where an appearance of acquiescence so deeply affects the welfare—nay, I may add, the lives of our fellow-creatures; whilst truth, that noblest quality, and an avowal of truth, that indispensable duty in man, whatever his rank and station in the scale of society, would retrieve the injury, and save the waste or at least the embittered state of human existence, so frequently following and flowing from this instrument of torment.

In justification of the Visiting Magistrates of the House of Correction at Guildford, I ought to state that they have since felt it their duty peremptorily to restrict the writer of the foregoing letter from any future communication to the Editor of a public print, and to express their disapprobation of his having done so on this occasion; an exercise of reprimand, which, from the preceding proof of erroneous statement by the same individual, the reader will probably think was by no means uncalled for.

H. *page* 14.

"*Four accidents* had occurred in Cold Bath Fields, before the 2nd of December, 1822, *occasioned by the breaking of the box belonging to the shaft*, and the persons at work had been *thrown off* the Wheel, from the tread to the floor, a distance of about four feet three inches, and thereby received *sprained ancles and severe bruises.*"

On my visit to the House of Correction at Brixton, on the 10th of January, 1824, a prisoner told me that the Wheel had been going dreadfully fast. I had scarcely passed the outer iron railing of the yards before I heard a considerably increased noise of the machinery, and on returning to the yard I had just quitted, I found half

the workers had sprung off the Wheel, owing to the increased rapidity with which it had begun to move. By the interference of the Governor the evil was remedied; but I understood *it had occurred before on the same morning*, and I have since found an allusion to a like accident recorded by a magistrate in the Magistrates' Book.

I. *page* 14.

It is enacted by the last Gaol Bill, that "it shall and may be lawful for one or more visiting justice or justices of any prison, to authorize *by an order in writing*, the employment of any such prisoners, *with their own consent*;" "and it shall be lawful for the keeper of such prison to employ such prisoner *on such work or labour* accordingly, and *to pay such prisoners any such wages or portion of the same*, and at such periods, as shall be directed by such justice or justices." I do not see the analogy between the intent of these provisions, and their actual application to the use of the Tread-wheel. But the subject is now, as I trust, in effective hands.

K. *page* 16.

"Your Committee regret, that the opinions of medical persons conversant with the management of prisons, and the state of health of prisoners, liable as it is to be affected by so many moral causes, had not been previously taken."

(Signed) HALFORD, AINSLIE, &c.

M. *page* 18.

On a late visit which I made with another magistrate to the House of Correction in Cold Bath Fields, two prisoners under similar circumstances were examined

by the surgeon. The one had been taken off the wheel the day before on declaring himself to be ruptured; and, on examination, there might be some degree of tumour indicative of such an evil, but the surgeon appeared to think it had been *intentionally* produced. The other had just descended from the Wheel (having worked on it for a month) and presented himself in the language of complaint;—on examination I saw, in the presence of the surgeon, his ruptured state accompanied with a dreadful enlargement of the parts, not indeed produced by the Mill (though the Mill has a tendency to such an effect) but of long standing. He had worked as long as it was in his power without making any complaint.

N, *page* 19.

There are no less than *fifty-eight modes of prison employment* enumerated by Howard, *all of which are equally capable of being followed up* on the emancipation of the prisoner from his confinement.

O. *page* 20.

It may be objected, that the higher classes in Society would naturally be expected to sustain great fatigue from a short period of any hard labour to which they are unaccustomed. The objection would be just if limited to *manual labour*; but it is less applicable to the Tread-mill whose exercise is *foot labour*, whilst the hands are unemployed. The feet of most men, and even most women, in the course of ten hours, tread over as much ground as the Tread-wheel worker; and in many instances are more actively exercised than those of some who are sentenced to the punishment, and have been used to a sedentary vocation.

P. *page* 21.

The *fifteen minutes* of labour were this winter extended to *twenty-seven* at Cold Bath Fields, that the absence of day-light might not prevent the prisoners from undergoing their allotted daily portion. This added as much to the severity of the task as the sultriness of the weather had done at a different season of the year; and personal experience has taught me the full extent of this severity. I should have *dropt from the wheel* before the expiration of those twenty-seven minutes had I not succeeded in resting my weight on the projecting hand-rail, which in some places would have been impracticable. I have never before suffered from such extreme perspiration and exhaustion, although I have climbed the steepest mountains of the Alps for weeks together, and though daily habits of life of an active kind had in some degree prepared me for such exertion. I cannot forbear again requesting others to take *one turn* of twenty-seven minutes with the prisoners whom they visit at the Tread-mill; to which those surely cannot object who consider this labour of a harmless, and even of a salutary nature.

At Gloucester Gaol, "if any prisoner or prisoners are observed to be talking while on the Tread-wheel, *they are deprived of their next turn of rest.*"

Description of the Tread-mill, p. 21.

✤ *page* 22.

Compare the former dietary at Brixton, which was to be seen among the Regulations in the Committee Room, on my last visit to that prison, with that now adopted. "The allowance to each prisoner kept and maintained at the expense of the county, to be one pound and a half of

good wheaten household bread per day, of a former day's baking, *except on such days as soup is provided;* when the allowance of bread shall be reduced in the *proportion of half a pound* to a *quart of soup.*" This dietary has been long disused and the present is as follows:—

Breakfast, every morning,

½ lb of Bread, and nominally 1 pint, but in reality 1½ of Gruel.

Dinner, three days in a week,

¾ lb of Potatoes,
½ lb of Bread,
⅓ lb of Meat.

Supper, three days in a week,

1½ pint of Soup.

Dinner, four days in a week,

¾ lb of Bread,
1½ pint of Soup.

Supper, four days in a week,

¾ lb of Potatoes,

With unrestricted permission to the Surgeon to allow Beer, Wine, Spirits, or whatever he may prescribe to be necessary.—This is given verbatim from the words of the Governor on my last visit; and a like change has been made in the House of Correction at Guildford.

Q. *page 22.*

Dr. John Mason Good had the appointment of Medical Superintendent to the House of Correction in Cold Bath Fields when it was first opened for the reception of offenders; and, *at the request of the magistrates, drew up the dietary table for the prisoners,* and *the table*

of regulations for the Infirmary Wards. It was during this period that he published, at the unanimous request of two valuable Societies in this metropolis, two separate Dissertations bearing directly on the general question at issue: the one, a "*Dissertation on the Diseases of Prisons and Poor-Houses,*" in answer to a prize question proposed by the Medical Society of London; and the other a "*Dissertation on the best Means of employing the Poor in Parish Work-Houses,*" in answer to a prize question proposed by the Society for the Encouragement of Arts, Manufactures, and Commerce:—both these prizes having been respectively awarded him.

The following is the table of pulse in the prisoners examined, in the order of rotation: its average natural state being assumed to be in men 68, and in women 74 beats in a minute.

Men.	*Women.*
108 beats in a minute.	132 beats in a minute.
120	144 .....
130	156 .....
130	142 .....
132	152 .....
142	142 .....
120	
108	
120	

R. *page* 24.

"The very benevolent Chaplain to the Cosford House of Industry, himself also a magistrate of influence and consideration, performing, moreover, his duties gratuitously—felt compelled to abandon the chaplaincy, and resign his sacred function among the poor, by whom he

was so justly beloved," on the introduction of this discipline into that poor-house.

Correspondence on Prison Labour, p. 87.

I have reason to believe that three other chaplains, attached to three of the largest places of confinement in this metropolis, are equally hostile to its adoption on christian principles.

S. *page* 25.

Mr. Henry Fielding, brother to Sir John Fielding. They were successively Chief Acting Magistrates for the County of Middlesex in the years 1740 and 1754, and therefore intimately acquainted with the dispositions and habits of the various orders of society.

T. *page* 25.

This is stated as the average number, but it varies with the seasons of the year, the prisoners being, by the directions of the last Gaol Bill, provided with *separate* cells, where they are generally secluded from sunset to sunrise.

U. *page* 26.

" Every such chaplain shall, on every *Sunday*, and on *Christmas Day*, and *Good Friday*, perform the appointed Morning and Evening Services of the Church of England, and preach at such time or times."

Georgii IV. cap. 64.

" In some prisons no Divine Service whatever is performed."

Third Report of the Committee, &c.

X. *page 27.*

On a recent visit to Brixton, I saw several boys of early age working (from some accidental cause) on a Wheel with the men, which more particularly attracted my attention. The first I questioned was James Donovan, a lad of thirteen, who had been committed to the prison and the Tread-wheel as a reputed thief. I inquired if he knew what was the Eighth Commandment? The boy stared, and made no reply. He did the same on my asking him how many Commandments there were. On inquiring if he could repeat the Lord's Prayer or the Belief, I was answered in the negative. He had never been at school, could neither read nor write, nor had ever been taught the Catechism. On putting the question, "Do you "know who made you?"—"God, I believe," was his answer.—"Who is God?"—"I can't tell you that."—"Who was Jesus Christ?"—"I do not know." The case of this poor boy is but an example of the general case of those in his circumstances. I examined several of his companions, and found them all equally ignorant—not knowing the Commandments, and never having been at school. Surely, there might be some better plan of reformatory discipline, giving these juvenile offenders a little instruction concerning their duties to God and their neighbour, and putting them in the way of learning some useful habit of industry, rather than the pains and penalties of the Tread-wheel.

Y. *page 27.*

Repeated illustrations of this truth might be given; but the authorities of Howard and Hanway, in former times,

and the influence of Mrs. Fry, in the present day, afford it sufficient confirmation.

Z. page 27.

"Prayers, to be selected from the Liturgy of the Church of England, by the Chaplain, shall be read, at least *every morning*, by the Chaplain, *the Keeper*, or by *some other person*, as by the Rules and Regulations shall be directed."

Georgii IV. Cap. 64, Rule 9.

A A. *page 28.*

At the Edinburgh Bridewell, notwithstanding the small sub-divisions of the Tread-wheel labour, these feelings have been strongly exemplified; for in the Fourth Report of the Committee of the Society for the Improvement of Prison Discipline, it is stated, that "all the prisoners who have been subject to the discipline of the Mill, entertain a perfect abhorrence of it; and upon one occasion, at the commencement, they *fairly mutinied.* This disorder, however, was soon suppressed by the Governor's steady *refusal to deliver to the prisoners their allowance of food*, until the prescribed labour was performed." In other words, till the cravings of hunger had reduced them to obedience!

B B. *page 29.*

The validity of this assertion may be proved by the following paragraph, in a letter very recently received from Sir John Cox Hippisley, Bart.:—"I avail myself of the present occasion, to enclose an original letter of my valuable friend, the late Dr. Baillie, who, though

then averse to having his name printed, authorized me to refer to his opinions, which were perfectly in unison with mine;" adding, as you may observe in the last paragraph, "I hope that your own health will not materially suffer by your exertions *in the cause of humanity*." This communication was dated 24th December, 1822.

C C. *page* 29.

I am happy in having my sentiments, respecting the two mothers stationed on the Wheel, at Guildford, since confirmed by a letter from the Professional Gentleman, whose observations concerning the men, were inserted at the commencement of these pages. His *actual exertions* on this instrument of punishment, add as much weight to his statement, as *a residence of twenty years in his native place* gives to his reputation; but the wish of not involving him in a controversy made to partake nearly as much of political as of professional principles, induces me to refrain from the mention of his name.—Respecting these unhappy females he writes, "I recollect the elder woman on the Wheel, looking pale; but the most distressing appeal to my feelings, was the *incessant* crying of her poor infant, who was debarred the *necessary* comforts attached to its helpless state; and thus made to participate in the punishment awarded to its mother: it seemed *almost perished by cold*."

D D. *page* 30.

On again visiting the prison in Cold Bath Fields, on the th of January, 1824, I saw a woman in bed, who had *miscarried* the evening before, after undergoing her daily labour at the Wheel.

E E. *page* 30.

I avail myself of the opportunity of here acknowledging my obligations on this question to the Honourable Baronet referred to, who has devoted a long and laborious life to the able and upright discharge of his various public and Parliamentary duties; and who, in the vale of years, and the retirement of his native county, still unceasingly as well as gratuitously, contributes his time, and talents, his experience, influence, and fortune, to the public services of this United Kingdom.

These services have been duly appreciated by the private confidence and friendship of many of His Majesty's Ministers in succession: and have rarely failed of being eulogized, as they have been made public, by the literary Reviews of the day: and by none more than by a Journal, which, with a strange degree of violence to its earlier and sounder judgment (I mean *The British Critic*,) has lately stooped, from a mere difference of opinion on the merits of the Tread-mill, to describe Sir J. C. Hippisley's correspondence on this subject,—the best indeed that has hitherto appeared upon it—as *a compound of stuff**. The writer of the same article has been betrayed into the very extraordinary error of an assertion that Sir John's friend, Dr. Good, (whose official appointment to the Medical Superintendence of the House of Correction in Cold Bath Fields I have noticed in a prior note†) and whose talents this same Review has previously extolled in a strain of unqualified approbation ‡,—"*never was in a House of Correction above twice in his life.*"

* British Critic for August, 1823, p. 138.

† See Appendix, p. 105.

‡ British Critic, vol. xxvi. p. 489, *et seq.*

F F. *page* 31.

Sir J. P. A. stated, in the course of this evidence, that a man occasionally worked for him as a Cabinet-maker, who had been committed with his brother to Ilchester Gaol, having gone into prison as a common carpenter, *and improved himself during his imprisonment in joiner's work*; adding that, "*no man behaved better in prison, or has conducted himself better since.*"

G G. *page* 31.

I rejoice to read of the fulfilment of this almost prophetic warning. "The House of Correction at Kendal is to be enlarged and improved, but without the disgraceful and cruel appendage of a Tread-mill, as has been reported; the Magistrates having, greatly to their credit, rejected that odious and inhuman instrument of punishment, and adopted *Hand-mills.*" (From the Carlisle Journal.)

British Press, 6th Jan. 1824.

I trust, that the Legislature of the country will enjoin the same generally at no distant period, or at least prohibit the kind of labour here objected to.

H H. *page* 33.

"The machinery, however, to which the power of Tread-wheels is applied, in most cases, affords several degrees of service or employment, by which *the manager has considerable scope for regulating the velocity.*" "*The height of the step*, which varies in the different Tread-mills already erected, *will materially affect the amount of daily exertion, half an inch more or less* in

that respect, *making a difference of nearly one thousand feet ascent* in a day of ten hours' general labour."

Description of the Tread-mill, by the Committee of the Society for the Improvement of Prison Discipline, p. 9.

I I. *page* 35.

"Varices and aneurisms, or tumours of the veins and arteries, may arise in any part of the body; but *they occur most frequently in the lower limbs, from their dependent condition*; and *they never can be cured, or even prevented*, where there is a tendency to the disease, *but by counteracting this dependency*; as by rest, a reclined position, and the uniform support of a bandage, or laced stocking. Upon this subject there never has been and never can be, any dispute in the profession, as must be obvious from the nature of the case. This may be general or local; it may proceed from an uniform weakness in the tendons of the arteries or veins; or from weakness in particular parts, produced by cramp, strain, or stretch in such parts, and hence very generally, *by violent or fatiguing exertion, or standing long on the legs.* Now a man would be laughed at who should recommend the Tread-mill, or any thing like it, as a cure, or a means of prevention, where a tendency exists, to any of these patients; and to talk of *promoting or increasing the circulation* by any means *where the vessels are too weak in particular parts to bear its* ORDINARY *force without bursting, is most extraordinary.*"

Extract of a letter from Dr. Good's Correspondence on Prison Labour, &c. p. 133.

K K. *page* 35.

This description of Wheel is an invention imported from China, (where it was used in the irrigation of plantations) and for which Mr. David Hardie, of the East India

Company's Bengal Warehouse, obtained a patent. Mr. Hardie's Machinery was applied to a Crane, as Mr. William Cubitt's is adopted in Prison Discipline.

L L. *page* 35.

" Five Cranes of this description have, according to Dr. Gregory (Professor of Mechanics in the Royal Military Academy of Woolwich) " been at work at the East India Warehouses." One was erected in the Bengal Warehouse, and another in that of the Assistant Private Trade Warehouse-keeper; but after one man " *had his leg broken*," and another " *received a severe injury in the leg* from working at the same Crane," and a third had " *received a severe hurt* while working at one of them, and was pensioned by the East India Company," they were finally taken down.

Correspondence on Prison Labour, pp, 8, 9, 10.

The Walking Wheel, a similar species of engine, " had been adopted in other parts of the kingdom, attached to the Corn-threshing Machinery, but abandoned from *the peril of the labour*."

Ibid. p. 8.

M M. *page* 36.

It is further enacted by the Gaol Bill, Georgii IV. cap. 64, " That it shall be lawful for two or more Visiting Justices of any prison, to order that all such persons confined in such prison, in pursuance of any sentence or conviction, except such prisoners as shall maintain themselves, *shall be set to some work or labour not severe*:" and the keeper of every such prison *shall keep an account of the work done by every prisoner so set to work* as aforesaid, and *shall account to such prisoner for so much of the net profits* which such prisoner shall have earned, or for such daily or other allowance for the work and labour done by

such prisoner, as shall be directed,"—"and *shall pay the amount of accumulations of such allowance to such prisoner* at his or her discharge." This can, in no way, apply to the *fruitless* and *painful* exertions of most prisoners at the Tread-wheel.

There are, at this moment, about sixty-two prisons, as stated by the Committee of the Society for the Improvement of Prison Discipline in their Fifth Report, where the Tread-wheel is in force: but out of these *two-and-sixty* Stepping-mills (which is sometimes their *softened* appellation) including those in our largest and most populous places of confinement, there are not more than *four* whose annual profits exceed one hundred pounds per annum; and only *one* in which these profits approach to one hundred and seventy pounds. Of the rest, there are about *forty* which have not made a return of any profit: at many the prisoners are working *at a dead loss*, and, as in Cold Bath Fields, idly expending their sweat and spirit in the air; whilst the remaining *twenty-two* Tread-mills that are trading to advantage, but whose profits are under one hundred pounds, nett about *twenty or thirty pounds yearly*, upon an average.

In contrast to this system of profitless TERROR I extract the following passages from the same Report, relating to the Houses of Correction at Knutsford and Preston, *previous to the introduction of a Tread-wheel.*

"The employment of the prisoners at Knutsford is very various and considerable, in weaving of woollen, silk, and cotton articles, blankets, and druggets; tailoring, shoemaking, joinering, loom-making, coopering, white-washing, painting, nail-making, bricklaying, masonry, blacksmith's work, straw mattress, and chip hat making. At this prison, the nett earnings, from 25th December, 1820, to 25th of March, 1821, for which period the average number in confinement amounted to one hundred

and twenty-five daily, were "£.196. 7s. 7d. the cost of food £.167. 19s. 3d.; *being a clear profit to the county* in three months, beyond the cost of food, £.28. 8s. 4d."

"Preston House of Correction is justly distinguished by the industry which prevails. Here, an idle hand is rarely to be found. There were lately 150 looms in full employ, from each of which, the average weekly earnings are five shillings. About 150 pieces of cotton goods are worked off per week; a considerable proportion of the looms are of the prisoners' own manufacture. In *one month, an inexperienced workman will be able to earn the cost of his gaol allowance of food.* Weaving has these advantages over other prison labour: the noise of the shuttle prevents conversation, and the progress of the work constantly requires the eye. The accounts of this prison, contained in the Appendix, deserve particular attention, *as there appears to be a balance of clear profit to the county*, from the labour of the prisoners in the year, of £.1398. 9s. 1d. This sum was earned by weaving, and cleaning cotton only, the prisoners being besides employed in tailoring, white-washing, flagging, slating, painting, carpentering, and labourer's work; *the earnings of which are not included in the above account.*"

In these prisons, the number of the re-committals are stated to have been *only two per cent.* at Knutsford, and *four per cent.* at Preston; while, in inferior gaols, under a deficient system of management, the number of re-committals varies from *fifteen to fifty per cent.*

Nor can I refrain from noticing the *very important fact*, contained in the same Report, that *the decrease* in the number of female prisoners re-committed, since the visits of Mrs. Fry, and her truly benevolent associates, amount to *no less than forty per cent.* Here no Tread-wheel has been erected. Indeed, I am at a loss to reconcile the sound, and philanthropic and christian principles, which

animate the Members of this valuable Society, with the *system of terror* which forms the bond of the Tread-wheel Discipline.

✤ *page* 44.

I trust that I have neither misconceived or mis-stated *the present opinions* of the Society on this subject; for, with the exception of having introduced and recommended the Tread-wheel, which may "become" (and I well know has become) "an Engine of terrible oppression," I regard its members as among the greatest benefactors of mankind, and those who deserve for their labours, the most heartfelt gratitude of their species.

I extract the following passages from the fifth Report of the Society:—"The great proportion of offenders committed to Houses of Correction, are sentenced to hard labour, and but for *short periods* of imprisonment, during which the Tread-wheel is an appropriate punishment." But in bearing this testimony in its favour, *they feel no hesitation in declaring their opinion, that* ITS VALUE MAY BE OVER-RATED, *and its discipline misapplied.* Notwithstanding the acknowledged excellencies of the Tread-wheel, *it ought not to form the punishment* of those whom the law sentences to *imprisonment only.* To inflict it on this description of prisoners, would be to change the character of their sentence. To subject also *convicts* committed *for long periods of imprisonment, day after day,* to this discipline, is inconsistent with the views of the best writers on the Penitentiary system, and at variance with those principles of prison management, which HOWARD never ceased to inculcate; and to realize which, the enlightened exertions of SIR GEORGE PAUL, and other EMINENT MAGISTRATES, have been zealously directed.

"The *general employment of females* at the Tread-wheel is LIABLE TO SERIOUS OBJECTIONS; and as there are,

even in the absence of prison trades, other kinds of labour to be found for women in a gaol *that are congenial to the habits of* their sex, the practice of thus employing this class of offenders is *not justified by necessity.*"

N N. *page* 45.

These monthly visits are enforced by the provisions of the last Gaol Bill; but it is matter of serious regret, that "There are in England, upwards of ONE HUNDRED AND FORTY cities, boroughs, and places, possessing prisons under exclusive local jurisdictions, which will derive no benefit from the present Act."

Preface to the Rules for the Government of Gaols, by the Committee of the Society for the Improvement of Prison Discipline.

O O. *page* 46.

It is profitless in every point of view; and there is hardly a table of returns in any prison where the Wheel is admitted, but gives numerous instances of re-committals, often indeed many times over, notwithstanding the severity of the toil.

The following table, from the House of Correction in Cold Bath Fields, which I have just received, and on the correctness of which I can rely, may add to a train of examples which will presently be offered to the reader:

Re-committals from Michaelmas 1823 *to* 10*th Feb.* 1824.

Twice,	167
Three times,	30
Four times,	15
Upwards,	13
Total,	225

P P. *page* 46.

"We know, that even in the earliest times of our legal history, the statute," judicium Pillorie, "was positive in guarding against *unwarrantable* and even *casual* inflictions, directing that the execution of the law might be done upon offenders" "*without bodily pain* of man or woman," in all cases where the prescribed penalty itself did not extend to *a defined corporal infliction*; and subsequent statutes were soon after enacted with the same provident consideration. Vide Statute 51, K. Hen. III. 12, A. D. 1266. Also Statute of "Uncertain Times," which, in the books, follow the Statutes of K. Ed. II.

Correspondence on Prison Labour, p. 17.

Q Q. *page* 47.

The writer trusts that his views will not be mistaken. He coincides most sincerely in the motives of this excellent Society, and here alludes to the numerical formula which it has published from the pen of Mr. Bates, Mathematical Instrument Maker to the Board of Excise, respecting the extent and power of human suffering, without seriously trenching on the stamina of the human frame, and which he is inclined to think a more careful examination would have suppressed, as inconsistent with its pure and benevolent principles.

I reluctantly copy the passage immediately referred to from the description of the Tread-mill by the Society—for I could not readily have believed that a Scale of this nature would ever have been considered a requisite in an English House of Correction. "To discover what arrangements may be made with a view of removing any risk of severity or injury to the prisoner, *is a question of so complicated a nature, that the method of solving it, would not occur without close consideration*; and *so variable are*

the circumstances attending the management of this employment from the frequent fluctuation in the number, as well as in the rate and duration of their labour, &c. that the difficulty of fulfilling such a regulation became still further increased." In following up this calculation by a few examples, the Committee conceive further that, "as the several details vary one with another in regular proportion, they might be very conveniently laid down upon a SCALE in a LOGARITHMIC SERIES. This idea has been carried into execution, in a very ingenious and satisfactory manner by Mr. Bates, MATHEMATICAL INSTRUMENT MAKER TO THE BOARD OF EXCISE."

R R. *page* 48.

I have long observed with regret and pain, the warning inscribed on the wall of Hyde Park, where wealth, and fashion, the nobles and senators of the kingdom, almost exclusively, resort for exercise and pastime. I do not like to find *words of terror*, accosting the eye of the foreigner who sojourns amongst us, or of the honest labourer, who also occasionally passes by at morn or even, from his accustomed toil. If these spots should prove the resort of disorderly persons it would be easy to remove this or any other nuisance, that may be referred and stop them, the place of such resort being so near the gates of entrance; nor does such an address comport with the sense of exterior propriety befitting a Regal Domain.

S S. *page* 48.

The following fifty re-committals have taken place between the 23rd of June, and the 31st of December, 1823, at the House of Correction at Brixton:—where the average number of prisoners does not appear to exceed 140.

Names.	Age.	Times Committed.
Lydia Jones	28	9 !
Maria Pugh	16	2
Margaret Coffin	17	2
Elizabeth Bengough	19	6 !
Harriet England	27	4
Elizabeth Holbert	36	2
James Dunn	14	3
Anne Hoare	30	8 !
Joseph Moald	15	2
Charles Hewitt	19	2
James M'Claughan	15	3
Daniel Phillips	68	2
Thomas Fox	18	2
Amelia Francis	25	6
George Probert	14	2
Hannah Spendy	32	2
Sarah Vincent	25	3
William Man	18	2
Eliza Turner	17	3
William Owen	18	2
William Simms	15	2
John Donovan	13	4 !
Thomas Ballinger	17	2
John Stockings	16	4 !
Charlotte Bligh	21	2
John May	17	4 !
Hannah Higho	19	3
James Sheady	15	5 !
Mary Delvin	40	5 !
Mary Allen	46	2
Ann Palmer	30	3
Joshua Denley	16	2
Sarah Head	20	2

Names.	Age.	Times Committed.
Ann Waghorn	34	2
Ann Smith	21	3
Esther Slight	36	3
Mary Shilling	30	2
Mary Ford	42	3
Bridget Jennett	25	2
Mary-Ann Richards	32	3
George Smith	17	2
Frederick J. Wood	19	2
Catherine House	33	3
Catherine Flenn	23	3
Eliza Purdy	23	3
Mary Cuttle	16	2
Mary Ford	42	2
Thomas Saker	21	3
Eliza Fossett	32	3

It is observable, that *most* of these are *females*, who, from the loss of character, and the want of a temporary asylum, had perhaps only the alternative of vice or starvation presented to them on their discharge from confinement; and *many* of them *youthful offenders* of either sex, who might probably have been reclaimed from the career of crime, and restored to the paths of virtue, by timely, judicious, and humane interposition.

I lament that I have not leisure more fully to examine what seems to me an erroneous supposition as to the influence of the Machine on the habits of evil-doers. The Tread-wheel is often vindicated on the doctrine of expediency when other grounds for sanctioning it are abandoned as untenable; as its *severity* we are told will deter from a repetition of the offence, and thus prove an act of mercy to the offender. And I find, in the Third

Report of the Committee of the Society for the Improvement of Prison Discipline, an active and intelligent Magistrate of the county of HERTFORD thus expressing himself: "That the prisoners have a *horror of the Mill*, and would sooner undergo, (as they all declare,) *any fatigue, or suffer any deprivation*, than return to the House of Correction. As a proof of this, I have known only one instance of a re-commitment since the 1st of August, 1820, when the Mill was set to work: (the date of this Letter is not mentioned:) And I shall be grievously mistaken if more than a very few ever return, after one month's trial in our present Bridewell."

Were the effect such as is here anticipated, I should still maintain the argument that we are not authorised to use wrong means in pursuit of a right end. But how far these anticipations have been generally verified may be collected from the remainder of this Note.

I cannot disprove the agency of this instrument of punishment in this particular county with respect to *the repetition of crime*, not knowing the number of re-committals; but a very opposite effect seems to have been produced in several instances, as to *the suppression of crime*, according to the following extracts from the Fifth Report of the same Society.

Hertford Gaol, & House of Correction.		
In 1820,	116	169
1821,	102	154
1822,	133	225

being an INCREASE under the Regulations employed for the last three years of one-fourth.

At Bedford, where Tread-wheels are erected in both prisons, the number of commitments to the County Gaol and Houses of Correction is as follows: and the number of re-commitments recorded as "surprisingly heavy."

1821.—To the Gaol	115, of whom 14 are Re-committals.		
Old House of Corr.	17,	8	
1822.—Gaol	188,	27	
Old House of Corr.	45,	10	
1823.—Gaol	89,	27	
Old House of Corr. to Oct. 2,	12,	4	

The numbers in the New House of Correction when the Mill was first introduced, were

	Actual No.	1st Committals.	2d Com.	3d Com.
1821,	225	206	17	2
1822,	258	234	23	1
1823, to Oct. 2,	149	127	17	5

At Durham, where the major part of the male prisoners are employed at the Tread-mill,

In 1820, the Felons were 86, Misdemeanants, 174
1821, 61, 198
1822, 68, 308,

and this aggravation of numbers is said to be "owing to the severity of the weather, when many of the lower class were prevented from following their usual occupations," or, in other words, when absolute want must have been no inconsiderable part of the temptation to crime.

At Horsley House of Correction, equally subjected to the discipline of the Wheel, the numbers were,

In 1820, 279
1821, 250
1822, 398,

and this last increase is attributed to the enforcement of the New Vagrant Act.

These are some examples selected from the Reports made of those places where the Tread-wheel is in force—and they form a striking contrast with the state of three other Houses of Correction, where none were then erected. Thus,

Chester Castle contained in Aug. 1821, 220 *Prisoners.*
..... 1822, 177 .....
..... 1823, 97 .....

Yet here the introduction of this apparently unnecessary and comparatively useless Machine was in contemplation, to supersede the present salutary and instructive labour of weaving, shoe-making, tailoring, joinering, painting, brick-laying, masonry, &c.

The County House of Correction at Littledean, presents the following decrease of numbers in the last three years:—

In 1820, ... 107
1821, ... 92
1822, ... 82

Here there is no Tread-wheel, but the men are employed in breaking stones for the yards, and other repairs of the building, and the women in washing and needle-work.

Since the Fourth Report of the Committee, a second Corn-Mill has been erected in Hereford County Gaol, larger than the first; but NEITHER OF THEM ARE UPON THE TREAD-MILL PLAN. The prisoners committed for hard labour work at those Mills ONE HOUR WITHOUT STOPPING, and are employed *each alternate hour*, in separate cells, *at labour less severe*: the work at the Mill is laborious, but healthy. The number of prisoners committed in the year 1822 was one hundred and seven to the Gaol, and

one hundred and thirty-three to the House of Correction; which is a diminution in the commitment of the preceding year, of *eighty-one*.

The County House of Correction at Preston records a still more important diminution in the average number of committals in the same period.

In 1821,	349
1822,	202½
1823,	143½

Here, a "Stepping-mill" is, I grieve to find, "ordered to be erected;" and yet, the nett profit to the county from the present labour of the prisoners has been during the same time,

In 1821,	£.1,398
1822,	702
1823,	415

✤ *Page 50.*

The phrase *Tread-wheel discipline* is used in compliance with the fashion of the day, though I am sensible of its utter incongruity, and that no accommodation of colloquial or even figurative speech can justify it; unless, indeed, following Vossius in his derivations of *lucus*, we deduce DISCIPLINA *à non discendo.*

So opposed are the two ideas of a *Tread-mill*, and *Discipline*, that no rate or direction of travel can ever bring them to a common point. The Tread-wheel requires *neither skill nor practice*; for we are expressly told, that all can equally well work upon it from the first. It communicates *no art*, or *instruction*; and it leads to *no utility.* It is neither a *monitor* of the mind, nor of the body; yet

it must be confessed, that it has an influence upon both; *for the first it hardens, and the second it debilitates.*

T T. *page* 51.

It is notorious that this state of our prisons has been long the subject of just but unheeded complaint, not merely as receptacles of idleness, that "root of all evil," but as hotbeds where the germ of every vicious propensity has room to grow and flourish, and to generate a fresh and more abundant crop of wickedness of a still deadlier kind. It is quite true that our Bridewells (to use the language of a distinguished Justice of the Peace, applied in 1819 to the House of Correction in Cold Bath Fields,) were at one time in such a condition that "a Magistrate might be considered the ruler of a small state in which corruption had risen to its utmost height." To which effect are the following words of another Justice of the Peace, applied to the County Gaol of Hertford, delivered in 1820. "Formerly, persons of all descriptions and of all ages, were indiscriminately mixed together, there being but one yard, and one day-room. Not having labour of any kind, the time of the prisoners was by *necessity* spent in idleness, no resource being left them but the miserable one of forming plans for future mischief, and instructing the less depraved, though unhappily *willing* learners, in the ways of wickedness and vice." The same Magistrate proceeds to contrast this state of total idleness and a total absence of classification, with a subsequent division of the prisoners into classes, and the "horror of the Mill" since allotted them as task-work.

The Engineer of Ipswich has, doubtless, profited by a most favourable opportunity to introduce his novel application of an old invention, in order to administer a remedy for these crying evils; to supply, if possible,

the deficiencies of the past, and supersede the necessity of any performance of duty for the future. It is only at such a moment of suffering as this, produced by confirmed habits of inattention and neglect, that the sounder judgment slumbers, and the will is entrapped, and, like patients at a loss which way to turn, disposed to comply with the prescription and take the medicine of an empiric, who never fails to make large promises of a speedy and certain *recovery*, and who as inevitably destroys the health and constitution of his deluded victim.

It may seem irrelevant to the subject, but I cannot refrain from expressing my satisfaction, with all sober and reflecting men of patriotic feeling, that a Member of consideration and influence has obtained leave to bring in a Bill for the amendment of the Criminal Laws relating to the preservation of Game. The existing state of these laws is so much at variance with the opinions and conduct of a civilized and enlightened age, that their enforcement cannot be regarded as an act either of justice or policy. It appears that one-fourth, nay perhaps one-third, of the total committals in this kingdom consist of offences against this branch of the law, the remaining vestige of a barbarous time and system; and it is as true that such offences are frequently the *first step* in the breach of civil order, a sort of initiatory practice performed ere the mind acquires sufficient hardihood to perpetrate acts of greater criminality. The guardians of the public morals would do well to remember that there is

another duty as necessary as that of selecting modes of punishment; I mean that of devising the best means *for the prevention of crime.* In what way can this be more readily effected than by removing every *temptation* as far as possible from the reach of those who are so peculiarly exposed to lures of a pecuniary nature? for few men walk steadily in the path of virtue, when beset by powerful temptation.

In the lower classes of society the Legislature is especially bound to regard the effect of this principle. It has had a very striking exemplification in the comparatively few offences which are now committed in counterfeiting Bank of England Notes. I remember that above fifty bills of capital indictment were very lately found in a single assize and in a single county for the forgery of such notes, and that several of the unhappy persons so indicted suffered the punishment of death. Comparatively few similar infractions of the law have been committed since these notes have been recalled from circulation, and great has been the consequent diminution of guilt and misery. In as much as you remove the temptation to crime, you facilitate the practice of virtue.

A similar amendment of the most defective state of our Statutes respecting the preservation of Game would, there is every reason to believe, be attended by similar results. For such amendment the hard-faring classes of this country would have cause to feel a just debt of obligation, and they would repay their benefactors in the way most gratifying to a generous mind, by improved habits of industry and morality, by an increased respect for and obedience to the laws and their lawful governors, and by the growth of those homely but substantial comforts which these qualities are calculated to produce. Whereas, an increase in the severity of the penal enactments of a

country has ever been regarded by the historian, and the moralist, whether christian or pagan, as a conclusive evidence of ill-enacted, or ill-administered law; or of a disposition of the rulers of a state to govern without law, and introduce a reign of despotic and arbitrary power.

POSTSCRIPT.

POSTSCRIPT.

SINCE addressing the preceding Letter to the Minister of the Home Department, some cursory observations have been thrown out in the House of Commons in relation to the labour of the Tread-wheel; in the course of which, as it appears from the public papers, the Right Honourable Secretary seems inclined to support this new system of punishment, chiefly, if not altogether, upon the grounds that the labourers upon the machine work by their relative weight, rather than by any other power, which can in no respect injure the animal frame; and that in point of fact, they are found to gain in bulk and substance, wherever their weight has been ascertained, and hence affording a sort of positive proof that their health has not been infringed upon. I must therefore request permission, before I bring these papers to a conclusion, to examine into the nature and bearing of the argument on which these declarations rest.

When a piece of metal, or any other heavy substance is put into a balance, or applied to the cordage of a wind-up jack, these being mere

mechanical bodies act by their weight alone—and the power is properly enough called a *dead* weight.—When a man is in like manner put into a balance, he acts by the same mechanical means, and bears down the scale in which he is placed, (if he bear it down at all,) by a *dead* weight of precisely the same kind. Not a muscle is moved—not a living fibre called into action—the life itself is unoperated upon—there is nothing that can in the least degree exhaust him—the man, and the metal of which the standard weight consists, answer the same purpose, and, so far as mere gravity is concerned, there is no difference between them.

But is there no difference between the poize of a man on the platform of a scale, when raising up by his mere weight whatever is opposed to him in the opposite scale, and the working of a man on the Tread-wheel to produce a like effect? The argument which the newspapers have ascribed to the Right Honourable Secretary for the Home Department, but in which I cannot avoid thinking there must be some mistake, tends evidently to prove that there is no difference whatever, and that the man in a balance, and the man on the Tread-wheel, are placed respectively alike, *no one being called upon for more than his actual and relative weight.* But, to shew the error of this view, and how completely opposed the one case is to the other, it is only necessary to put the two

pieces of human mechanism (if I may be allowed the phrase) together, and to introduce the balance into the Court-yard of a Tread-wheel Prison.—While the man in the balance is called upon for no exertion whatever—keeps his muscles quiescent, remains free from all excitement and exhaustion, and retains his pulse in an even and temperate flow;—let us turn to the man on the Wheel;—here indeed is the dead—the absolute weight—the mechanical poize equally in full power; but is this the whole?

It is in truth the least part of it—or rather is no part whatever of that which forms the chief matter of complaint. For independently of the mere use of his own weight, the Tread-wheel worker is compelled to call into a perpetual and vehement action all the muscles of the thighs, the legs, and the loins: he has to *balance* himself, as well as to *overbalance* the power opposed to him—and to balance himself too upon the fore part of his foot alone, upon an organ that was never designed by nature to sustain him; and while the muscles thus called into action are undergoing a very heavy exertion, beyond what the muscles of the man in the balance and operating by weight alone are urged to sustain, by being thrown out of their ordinary line and course of action, they are forced at the same time into a morbid as well as an excessive exertion. Every accordant organ, and indeed every fibre of the body gives proof

of this. For when, at the expiration of the quarter of an hour's task-work, the man in the balance descends from his position cool, and at ease—the man on the Wheel is worn out;—he is suffused with perspiration, his lungs heave, his head is as hot as in a fever—his thirst is extreme—his pulse is almost immeasurably accelerated—and the muscles of his lower limbs ache with fatigue. No two pictures can be more opposite:—and nothing can be clearer than that the Tread-wheel labourer is called upon for a far different task than that of his weight;—he propels the Wheel indeed by his weight—but he works by his muscles, and by his muscles thrown into an unnatural and distorted condition—and hence, moreover, no two men can ever have a like proportion of labour. I repeat not here the vast surplus of toil the labourer is compelled to undergo from the perpetual retreat of the step on which he is constantly shifting his hold; that circumstance having been sufficiently noticed and explained in the Appendix.

I proceed to examine the second ground of support or apology alleged in behalf of the Tread-wheel: and what actual authority there is from facts or reasoning, so far as they have hitherto appeared, for affirming that prisoners while at work on the Tread-wheel increase in bulk and substance. This was in truth the subject of my first inquiry in the House of Correction at

Guildford—when I was shocked at the great loss of weight complained of by the prisoners. I mentioned the circumstance to the Governor, who thought in some instances it must be overstated, but freely admitted that the loss had been considerable, and in many cases to the amount of between twenty and thirty pounds. He equally allowed that there had been no case in which the weight had not been diminished—an admission which he again fully and freely repeated on my last visit on the 23rd of February, 1824.

In consequence of this admission, and believing it to be the natural and general impression concerning the effect of a toil regarded as severe by all who are acquainted with it, I bestowed little farther consideration upon the matter: because the mere loss of weight, provided it be not attended with aggravated or concurrent symptoms, will not in my opinion decide the question. It is indeed difficult to me to conceive the possibility that prisoners can undergo any very severe labour under a prison diet, and prison restrictions, and generally increase in bulk and substance; particularly any labour producing such profuse perspiration in all weathers, as is admitted by Mr. Drummond, Mr. Dent, and I believe by all who have written in justification of the new system.

This mode of defence by a reference to increase in size and weight is not altogether new. The same argument was recently brought

forward in behalf of the system pursued at the Penitentiary at Milbank. The convicts confined in that Establishment were said to increase in bulk and weight; and it was concluded as a necessary consequence, that no injury could be sustained, while such was the corporeal effect.

And what, I ask, has been the result, and what value ought now to be attached to an isolated fact of this kind, or the deductions to which it gave rise? The following passage must, I think, be decisive upon the subject, extracted from the Report of a Committee of the most eminent medical characters in this country, appointed by Government to investigate the subject, the Chairman being Sir Henry Halford, Bart. President of the Royal College of Physicians:—

"In England the mere fact of the weight of the prisoners being increased by confinement, is of itself no proof that their strength is not diminished: *the body may increase in size and bulk, but the fibre may be reduced, and that which may be taken for health, may be a proof of real debility.*"

The Reports returned to the House of Commons concerning the Tread-wheel and its subjects are not yet printed, and therefore I know not to what extent the effect of the Wheel upon the weight of its workers has been put to the test in different Houses of Correction, nor how far a supposed increase of weight has given a bias to the judgment of magistrates in general; but the ob-

servations of the Right Honourable Secretary of State, as reported in the public papers, seem to shew that this test has been dwelt upon in many Houses of Correction, and constitutes an important feature in their respective returns. Much minute and critical as well as impartial inquiry, (far more indeed than occurs in the last official returns,) is necessary to render such statements worthy of consideration; as it is not difficult to conceive that in many instances an increase of weight may have taken place without affecting the objections which have been urged against this punishment.

It is above all things important to learn the actual weight of the prisoner on his first admission into the prison, before he begins his labour upon the Wheel, and as a datum of reference against every future examination.

From the omission of this first and most essential step in the calculation, a mass of vague, inconsistent, and unimportant reasoning may be easily formed; whose premises have but little bearing upon the conclusion attempted to be drawn.

Again; the subsequent fluctuations in the condition of the prisoner will be materially influenced by the time he works, and particularly by the intervals of rest granted to him from accidental circumstances or humane considerations, and the quantity and quality of the food which he receives. He may besides gain or lose from other natural or occasional causes;

the condition of his health and spirits, the state of the weather, and even the seasons of the year will variously affect the different constitutions of prisoners like those of other men, and therefore all these circumstances should be carefully recorded, and clearly explained, before the public can deduce any just inference from this part of the defence in behalf of the Tread-wheel.

I know not in how many prisons the practice has prevailed of weighing prisoners at stated intervals, as if they were beings possessed only of animal instinct, and endued merely with animal life and motion;—a custom necessitated by this novel and debasing corporal infliction. In the largest establishment of the kind in this country it has not been resorted to,—I mean the House of Correction in Cold Bath Fields;—and the sphere of experience may be thus far limited and inconclusive: while in the House of Correction at Guildford all the Tread-wheel prisoners, as I have observed, are admitted by the Governor to have wasted without an exception. I beg leave however to direct the attention of the reader to this prison a little more closely, in consequence of its having been selected by one of its Visiting Magistrates for the purpose of animadverting upon one set of the Cases, I thought it my duty to submit in a printed form to my brethren in office at a late County Session. I shall, for this purpose, and for this purpose alone, once more

travel over the whole of this re-edition of my Cases, as far as the prisoners were then in confinement, and capable of being re-examined in person. I have already advanced a few general remarks on these Cases, and by now following them up in order, it will be seen that with the exception of a single instance, there is not a prisoner who is not admitted by Mr. Drummond himself to have fallen away in flesh between the first and last times of his being weighed, whilst the individual who forms the exception, and appears to have gained a *single pound*, was not put to the test on his coming into prison; so that I am unable to determine how much he may have actually lost, or whether there be any gain whatever upon what might be regarded as his standard poize. His case nevertheless is one of the most instructive and decisive in respect to the ordinary mischief of the Tread-wheel of any alluded to by Mr. Drummond.

I begin by examining the first Case of

SAMUEL TOWERS,

Who is stated to have "weighed on the 29th of November, 1823, 10st. 8lb.—on the 13th of December, 10st. 9½lb.—and on the 10th of January, 10st. 5½lb."

The reader is thus informed, that Samuel Towers lost in weight by his labour on the Tread-wheel, 2½lb. between Nov. 29, 1823, and Jan. 10th, 1824.

But Samuel Towers began to work on the Tread-wheel on the 10th of November, 1823, and to determine his entire loss of flesh by the Tread-wheel, it is necessary to be informed—what was his actual weight at that period, and when he was first placed on its steps;—an information which Mr. Drummond has not communicated. He was discharged on Jan. 31; and during nearly the whole of the last month he was not continued on the Wheel, but was employed in mat-making. It should be observed, moreover, that this case was a *re-committal*, the prisoner having been already sent into confinement in the spring of 1823, "for two months, during the whole of which time he worked upon the Tread-wheel."

Edward Broughton.

It is stated that the "weight of Edward Broughton, on the 1st of January, 1823, was 8st. 1½lb.; and notwithstanding the alleged horrors of his treatment, it had increased, on the 10th of January, 1824, to 8st. 4lb."

Edward Broughton, however, came into prison on the 13th of May, 1822, about twenty months previous. He also did not work on the Wheel from the 28th of November till the 12th of January. An increase of weight of 2½lbs. *during a period when he did not work on the Wheel, and after a month's previous rest*, can speak but little in favour of the beneficial powers of the Tread-wheel itself.

"Edward Broughton (we are further told) has also been confined for four months at Brixton, where he worked

at the Tread-wheel for the last two:"—another case of *re-committal*, which speaks as little in favour of its *moral* powers.

Thomas Willy.

It is stated that Thomas Willy "weighed on the 12th of November, 1823, 8st. 3lb.—and on the 10th of January, 1824, 7st. 12lb." Mr. Drummond adds, "It was to be expected that he would have lost more, yet Thomas Willy did not work upon the Wheel, from the 10th of November until the 12th of January. He came into prison on the 10th of March, 1823, and no mention is made of his weight at that period."

John Dowley.

It is stated that the "weight of John Dowley, on August 29th, 1823, was 9st. 10lb.—January 10th, 1824, 8st. 13½lb.

John Dowley came into prison on August 28th. This is the first mention of a prisoner's weight on his commencement of his work on the Tread-wheel; and during this time he has lost in weight 10½lb. although he had not worked on the Wheel since Nov. 30, and has only returned to it this very day, February 23rd.

What was the extent of his reduction on the day when it was thought proper to respite him, we are not informed; but only, that nearly six weeks afterwards, notwithstanding his rest, he had lost the amount of flesh above mentioned.

Richard Bell.

Mr. Drummond states the different variations in this man's weight, at intervals of about three weeks, to be—"14th April, 1823, 10st. 12lb.—9st. 9lb.—9st. 5lb.—9st. 3lb.—9st. 6lb.—9st. 9½lb.—9st. 7lb.—9st. 5lb.—9st. 7lb.—9st. 3½lb.—9st. 3lb.—9st. 1½lb."

Richard Bell came into prison on the 10th of April, 1823; and it is stated, moreover, that "in the aggregate he has not worked on the Wheel more than four months,"—about half the time of his imprisonment. Nevertheless, in the first nine weeks this prisoner sustained a gradually augmenting loss in weight, amounting to 21lbs. After twelve weeks, he was put on an increased allowance of food, yet he still gradually wasted away from 9st. 9½lb. to the lowest point mentioned—9st. 1½lb. The total loss of weight being twenty-four pounds and a half.

Thomas Hart.

This prisoner is stated to have "weighed on the 19th of July, 1823, 9st. 12lb.—31st of October, 1823, 9st. 4½lb.—10th January, 1824, 9st. 7lb.

He came into prison on the 18th of July, and on the latter end of September, or the beginning of October, he was made wardsman, and has never since worked on the Wheel more than three hours on a day; or, to use the words of Mr. Drummond, "since which time he sometimes goes on the Wheel in the afternoon."

Thomas Smea.

No mention is made of the weight of Thomas Smea, but I am assured, that his loss in this respect has been considerable.

Mr. Drummond has commented upon the circumstances of his illness and *death*, (which took place on the 21st of January,) as well as his alleged habits and disposition. I therefore pass over them in silence. He is removed to a world where his deeds are before the tribunal of Him "who seeth not as man seeth."

It should, perhaps, be remarked however that he is stated to have been "never at work on the Wheel in the aggregate above four months, and that at different times, because he was asthmatic, but chiefly on account of his age." His age was 55.

William Milford.

It is stated, that William Milford weighed, in April 1823, 7st. 5½lb.: he was reduced in June following, to 6st. 3lb.; ever since which time he has been gaining, and now weighs 6st. 10lb.

William Milford came into prison on the 10th of April, and he has lost in weight, from that period, 7½lb. I believe, however, that not one of the women alluded to by the surgeon weighs *so little as 6st. 10lb.* Besides, we are not told of his weight on the day he came into prison; and hence have no account of his total loss of flesh.

Ebenezer Oakley.

His weight, we are told, on the 28th of July, 1823, was

8st. 1½lb.—and on the 10th of January, 1824, 7st. 13lb. His loss is thus only two pounds and a half; but the weight of this prisoner could not easily be more reduced. He is as thin as man well can be. He came into prison on July 26, and was taken off the Wheel on January 8th. I saw him again in bed, on the 23rd of February last; he had been expected to die, and his brother had just arrived, and by the special favour of the Visiting Justices, was permitted to see him. He was in so debilitated a state, as to excite an apprehension on the part of the surgeon, that the unexpected sight of his brother might occasion immediate dissolution; and I heard him humanely request the Governor to break to him the circumstance by degrees.

This poor man, whose crime I know not, and standing as he now does on the verge of the grave, it is not either material for the reader to be informed, made the following declaration in my presence, and that of the Governor:—"*The first three months* I felt *only aches about my limbs. I then felt* great pain about my loins, and a difficulty in breathing. During these last six weeks I have had a pain at my heart, which has become considerable, and it has extremely increased in violence for the last fortnight." I never before saw the heart beat with such force and rapidity, and he distinctly stated to me, in the presence of the Governor, that he never had this pain before he came to work on the Wheel.

THOMAS WEBBE.

It is stated, that Thomas Webbe "weighed on the 28th of July, 1823, 10st.—On January 10, 1824, 8st. 8lb.

He came into prison on the 20th July, and although he has not worked on the Wheel above three months, and

that at broken intervals, it thus appears that he has lost in weight twenty pounds.

George Whitmore.

It is allowed, that "the variations in this prisoner's weight are great. On the 1st of January, 1823, 11st.—10st. 2lb.—10st. 0½lb.—9st. 11½lb.—9st. 10½lb.—10st.—10st. 4½lb.—9st. 9½lb.—9st. 4lb.—9st. 2lb.—9st. 5½lb.—9st. 1½lb.—10th of January, 1824, 9st. 3½lb."

He came into prison on the 2nd of August, 1822; and although he has been a wardsman part of the time, and has had other employment to keep him from the Wheel, yet he has lost in weight, from Jan. 1, 1823 to Jan. 10, 1824, an amount of twenty-four pounds and a half.

Christopher Lamborn.

It is stated, that Christopher Lamborn "weighed on the 3rd of May, 1823, 10st. 4lb.—and on the 10th of January, 1824, 8st. 12lb."

He came into prison on the 3rd of May, 1823, and latterly has not worked constantly, owing to weakness; yet it appears from the above, that he has lost in weight twenty pounds.

Joseph Cohen.

It is stated, that Joseph Cohen weighed on the 3rd of May, 1823, 8st. 12lb.—and on the 10th of January, 1824, 7st. 10lb.

He came into prison on the 2nd of May, and has lost

in weight, during his labour on the Tread-mill sixteen pounds.

Joseph Lay.

It is stated, that Joseph Lay "weighed on first coming in 9st. 2lb.—and on the 10th of January, 1824, 7st. 10½lb. He has thus lost in weight, seventeen pounds and a half.

Thomas Farrage.

It is stated, that Thomas Farrage "weighed on first coming 8st. 11lb. and now weighs 7st. 10lb.: he has thus lost in weight fifteen pounds."

He is now again (Feb. 23,) in the Infirmary; where he was also confined from the 27th of Dec. till Jan. 3rd. He returned into the Infirmary on the 13th of this month, from suffering a great pain in his right side, which he never had before. He stated himself to be better in consequence of rest.

Joshua Gaushy.

It is stated, that Joshua Gaushy "weighed on the 28th of July, 1823, 9st. 9lb., and on the 10th of January, 1824, 7st. 12½lb. He came in on 20th July, and has thus lost in weight twenty pounds and a half.

William Nash.

It is stated, that William Nash was not weighed till the 1st of January, 1823, "which was the first weight

taken of any of the prisoners," when "he weighed 8st. 11lb.—10th October, 9st. 11lb., and on the 10th of January, 1824, 8st. 12lb." He recommenced his labours on the Tread-wheel on the 21st or 22nd of September, after having been a wardsman for some time, and he has lately had an extra allowance of food. I again sent for him to ascertain his feelings concerning the labour on the Tread-wheel as far as respected himself, in consequence of the confidence which Mr. Drummond states is to be placed in his opinion. His words were:—

"I certainly consider the labour to be severe, but if I had more food, in short, *as much as I could well use*, I do not think it would hurt my constitution."

The present general dietary of the prison exceeds what the majority of the honest and industrious agricultural labourers have—and which the Governor stated to me cannot now be supplied for 3*s*. per week. This man has already had an increase upon this allowance of food, and if it were to be increased still further, he thinks that the Wheel might not injure his constitution; and it is possible, that at such an expense the county might fight off some part of the mischief which he allows must inevitably befal him otherwise. Surely it would be a much cheaper, as well as a more effectual remedy to take him from the Wheel: for after all the increase of diet he has been allowed he was only one pound heavier on the last than on the first time of resting: and as he was not weighed when he went into prison, we know nothing of his actual loss or gain. Mr. Drummond tells us further, that "since he has been at work on the Tread-wheel, *he has experienced pains different from those he ever felt before*, and thinks the PAINS proceed as much from COLD after being OVERHEATED,

as from THE LABOUR of the Tread-wheel;" and he adds "this man has evidently had a superior education, and from the candour with which he spoke about the justness of his own punishment, the necessity of rendering Prison Discipline severe, and the *inconveniences* which he himself experienced, I CONSIDER HIS REPRESENTATION DESERVING THE FULLEST CONFIDENCE."

Now, this REPRESENTATION is concurrent in almost every point, with that of all who object to the Tread-wheel infliction, and consists of three distinct charges against it;—PAINS,—OVERHEAT,—and CHILL succeeding to the overheat: but whether the pains proceed from the labour or the effects of the labour, that is, directly or indirectly from the Tread-wheel, he cannot tell. Nor is it of much importance for the world to know; since, in either case, the Tread-wheel is as chargeable with the *pains*, as with the *hot-fit* and the *cold-fit*, that alternately succeed each other.

We thus come to a common understanding; and it is remarkable that the statement made by William Nash of the sensations which he experiences is almost a verbal copy of the mischiefs exposed, and complained of by Dr. Good, in an early visit which he made, in conjunction with another medical practitioner, to the Cold Bath Fields' prison; the surgeon of the prison accompanying him. "The surgeon in attendance," says he, "concurred in admitting 'that they complained in general of *stiffness and numbness in their hands*, by which they *hang**, as much as they are able, and of *pains in their loins, and in their legs*, both over *the heels* and *instep*; and that they are almost

* The above description does not precisely apply to the representation in the Plate, but at the Cold Bath Fields Prison the bar is so placed that many were observed to *hang* the whole weight of their bodies upon it."

invariably thrown into a *profuse perspiration* in the course of a *quarter of an hour's task-work*, so as to induce them to drink very largely of *cold water*, the only beverage they can obtain, as soon as their turn is over.'

"The tendency, however, to perspiration, under so irksome a discipline, is, in my opinion, in itself, but still more in its consequences, one of the worst evils to which the *Tread*-mill gives birth. For, it not only produces a very *morbid expenditure of animal strength*, but by impelling the prisoners to quench their thirst with large draughts of cold water in such a state of heat, and while they are standing or sitting still in the open air, cannot fail of exciting cholic, or other affections of the stomach and bowels." And to the same effect speaks Mr. Drummond again, when describing the state of Loder:—"Shortly after this, she drank some cold water, when she was much heated, which made her ill, and she was again obliged to go into the Infirmary."

Charles Etherington.

It appears, that Charles Etherington, "weighed on the 8th of July, 9st. ½lb., and on the 13th of December, 8st. 13½lb."

I did not again see Charles Etherington, in consequence of the Governor assuring me that from his having worked so little, (his age being 68,) re-examination was unnecessary.

William Redman.

Mr. Drummond does not mention this man's weight. But I found him again in the Infirmary looking extremely

ill—although he had worked much less since my last visit, by the interposition of the surgeon.

Still he said, "I was taken worse than I was before in the afternoon of Saturday, with a violent pain in my side, and in my head, and extreme shiverings, owing I think to a cold. I have often had these pains before, and have been attended by several surgeons before I came into prison. These pains always return when I catch cold."

It is worth while to compare these symptoms of cold and pains consequent upon it with the preceding account of W. Nash: and I again beg to observe, that the very *frequent* interchanges of extreme perspiration occasioned by this unnatural toil, and the consequent chill which succeeds it, as must in winter be peculiarly felt—is one very strong objection among others which I have urged against this labour—and I again find it as freely admitted by Mr. Drummond, in p. 35 of his Letter.

"The prisoners even in very cold weather *perspire profusely*. Are not the pains with which they say the labour afflicts them, the effect of hunger, occasioned by exercise, rather than the effect of the mechanical action of the Tread-wheel? Does not the lowness of the diet increase the *debility*, (by what produced?) and consequently the perspiration of the labourers? and does not the PROFUSENESS of the PERSPIRATION render them liable to severe COLDS." All this is what the opponents of the Tread-wheel have complained of from the first. But they do not admit, and cannot admit, that either the distressing pains, or even the perspiration they freely allowed, proceed solely or even chiefly from a high state of temperature. Let us turn in support of this remark to the Hereford County Gaol, where the discipline best coincides (as far as can be judged by the description) with the

principles I entertain of Hard Labour—of such labour as ought to be recommended and enforced.

"A second Corn-mill has been erected, larger than the first—but neither of them are upon the Tread-mill plan. The prisoners committed for hard labour work at these Mills ONE HOUR WITHOUT STOPPING, and are employed each alternate hour in separate cells at labour less severe. The work at the Mill is laborious, but healthy."

I am sure also that all will unite with me in just congratulations on the very great diminution of prisoners in this gaol.

"The number of prisoners committed in the year 1822 was 107 to the Gaol, and 123 to the House of Correction, which is a DIMINUTION in the commitments of the preceding year of EIGHTY-ONE—and when in the same year an *increase* of prisoners from *two hundred and fifty to three hundred and eighty-nine* had taken place in the Horsley House of Correction under the discipline of the Tread-wheel, and which is supposed to arise from the enforcement of the New Vagrant Act."

I would here most willingly close my observations on the Letter of Mr. Drummond, and indeed I have only been tempted to this extent by the extreme importance of the question, and by the possession of new facts daily coming to my knowledge in proof of the subsequent sufferings, not only of prisoners actually engaged in the Tread-wheel labour, but of those who have left the various prisons where the Tread-wheel is erected.

The particulars thus cautiously collected by a Visiting Magistrate, and extracted in regular order from his Pamphlet written in vindication of the punishment, will probably be found sufficient to make those individuals

pause, who are inclined to unite in its support from the supposed nutritive effects of its exercise, and the power it possesses of adding to the bulk and weight of a prisoner.

The retrospect, however, is by no means brought forward in a way of triumph: for experience has sufficiently convinced me, and I have before had occasion to observe, that a personal increase or diminution of weight in our different prisons, is dependent upon so many collateral, and often accidental circumstances, as to prevent it from becoming a proper standard for any general conclusion: and the Official Report of the Medical Committee appointed to inquire, among other things, into the nature and effects of the dietary table in the Milbank Penitentiary, already adverted to, abundantly corroborates this opinion. One man may come into gaol emaciated from poor living, and being doomed to only a slight degree of labour on the Tread-wheel, and supported by good and plentiful fare, may increase in weight. Another man admitted in good condition, and restricted to the comon gaol allowance, may on the contrary even under a less severe labour than that of the Tread-wheel, be found to decrease in weight; and where the practice prevails, as at the present day in various prisons, so to augment the diet as to render it superior to that obtained by the honest and industrious peasant; and especially where, together with this additional sustenance, there are enjoined or permitted intervals of rest of considerable extent, the prisoner may for a time be prevented from sinking under his distressing and harassing punishment, so that little dependence can be placed upon the variable condition of an increase or diminution in the mere weight of prisoners in forming an impartial opinion upon the value or mischief of the labour.

There is however one fact collected by Mr. Drummond

in the course of his investigations, peculiarly worthy of attention, as shewing the melancholy but natural tendency of the punishment here protested against to harden and give ferocity to the prisoner's mind, while it exhausts and weakens his body; and I could confirm it by numerous other instances, if it were necessary. In describing the case of Joseph Cohen, a young man twenty-one years of age, he tells us that he once worked as a blacksmith's boy, but has been latterly a regular thief, and seems inclined to continue so: he is determined however *not to get again into a House of Correction where there is a* TREAD-WHEEL, *but that his next offence shall be of such a magnitude as shall transport him.*

Now, in this case we see the regular, but dreadful progress of obduracy and crime with which the ignominious labour of the Tread-wheel has too common a tendency to poison the heart of those who are condemned to it. No man seems more alive to the TERROR of this machine than this individual. But what good has this principle of terror wrought in him? "He was at the House of Correction at Guildford," says Mr. Drummond, "three years ago;—he has also been confined at Brixton."

In the first prison there was no Tread-wheel at the time alluded to. But the Tread-wheel at Brixton, with all its *terrors*, has not *terrified* him from the Tread-wheel at Guildford.

He therefore forms another unhappy instance of those re-committals after this terrific and debasing plan of discipline has been applied, with which our prisons are beginning so extensively to abound.

In *this first stage* of a criminal life, we find the Tread-mill has done *no good*. With all its horrors, it has not

kept him from a return to his evil habits, or from a re-committal to prison. But he has now reached the *second stage*, and has learnt a higher lesson under a further application of the SAME DISCIPLINE. The *searing of his conscience* is now completed—and it seems he is at this moment meditating, not how to redeem the past or improve the future, but—how to sink still deeper in the destructive course of iniquity, and by some more daring act of wickedness, to bid defiance to the Wheel, and place his punishment beyond its power.

The line of petty thieving will be probably exchanged for highway robbery, or housebreaking, together with all the atrocities which they commonly produce, terminating perhaps in the commission of murder. I use the word murder—because I have seen that this new discipline from the obduracy, revenge, and desperation excited and promoted by its effects on different characters, has a manifest tendency to call up the word, the deed, and even the propensity in the bosoms of different prisoners:—sometimes directing it against themselves, and at others against those who are the objects of their resentment.

I remember on my very first visit to a Tread-wheel, that the labour was designated as "murder," by one of the prisoners, under the immediate aggravation of his mind from the suffering inflicted upon him. He seemed, indeed, to be in great bodily distress, from the peculiar severity of the labour produced by a far more than ordinary velocity of the Wheel. Two field-officers, who accompanied me on this occasion, were induced to give some pecuniary relief to the prisoners, in compassion to their miserable appearance.

Yet, even at a Wheel of the ordinary kind, a prisoner once addressed me in these terms:—"I know, Sir, that

I deserve punishment. I am willing to undergo the sentence of the law to 'Hard Labour,' but this is to me little less than *torture*, and I work in agony."

I have likewise had occasion to remonstrate with another prisoner, on an apprehension that he might attempt to *offer violence to himself, or to his prosecutor*, on his discharge from this species of discipline, when he replied, that "*as to himself, he should prefer to die*, rather than undergo again such sufferings as he had experienced."

I also know, that a discharged prisoner who had been *twice* committed to the Tread-wheel, was the other day overheard to express an intention of *purposely going to insult that magistrate by whom he had been committed.*

This view of the subject cannot be regarded, therefore, as too highly charged, or irrelevantly serious; and especially since a Noble Marquis, alike distinguished for talent, political knowledge, and virtue, has lately pronounced the punishment of the Tread-wheel, so full of ignominy, as to be a fit commutation for banishment or death; and has on such ground expressed a wish to exclude lesser offenders from its sentence.

Let those who appear at least to regard it in a different view, and to think of it as light and trifling, recollect the "Horror of the Mill," acknowledged by a Magistrate to whom I have before referred,—"the terror," which it is admitted to excite by so many others; and "the abhorrence" of it, which occasioned the prisoners at Edinburgh "fairly to mutiny." Let them also weigh deeply, the murderous resolution lately made public through the newspapers, and for the most, (as I know from personal inquiry,) correctly stated in them, of a woman, who, in consequence of a re-committal from Union Hall to the Tread-wheel, was not only bold enough to employ threats against the life of the magistrate who committed her, but had actually

found the means of concealing a knife, for the purpose of carrying these threats into execution, in the course of a re-examination, for which she knew she was reserved. She only failed, it seems, in her design to attempt the horrid act, by the magistrate providentially not going so near the bar, as to be within her reach, and as she expected he would have done, and attempted to induce him to do.

Here there was no harshness in the personal conduct of the magistrate towards the prisoner. I am enabled, indeed, to state quite the contrary—for he had given the most attentive consideration to her case, accompanied by the most lenient interpretation of it.

I close with adding, that these remarks, like all which have preceded them, originate in a sincere desire, that the opportunities and observation of the writer may become subservient to the benefit of the community—for he has long directed his thoughts and time to a consideration of the wants and crimes, the callings, and temptations of the lower classes of society. In pursuing this course, he is in a great measure indifferent to worldly censure, and unambitious of human praise, satisfied with endeavouring to do his best and his utmost in the limited sphere of duty and influence in which he moves: but strongly convinced of the baneful consequences of the Tread-wheel, he has in these pages essayed to prove its combined impolicy and injustice, as a new and unauthorised interpretation of our Penal Code—as a system of hopeless and hardening terror—as a bulwark against all moral and religious feeling—against all return to the duties, and the decencies, and the comforts of social life.

FINIS.

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